



**CITY COUNCIL AGENDA**  
**CITY COUNCIL MEETING OF: OCTOBER 1, 2003**

THESE PROCEEDINGS ARE BEING PRESENTED LIVE ON KCLV, CABLE CHANNEL 2, AND ARE CLOSED CAPTIONED FOR OUR HEARING IMPAIRED VIEWERS. THE COUNCIL MEETING, AS WELL AS ALL OTHER KCLV PROGRAMMING, CAN BE VIEWED ON THE INTERNET AT [www.kclv.tv](http://www.kclv.tv). THE PROCEEDINGS WILL BE REBROADCAST ON KCLV CHANNEL 2 AND THE WEB THE WEDNESDAY OF THE MEETING AT 8:00 PM, AND ALSO ON FRIDAY AT 4:00 AM, SATURDAY AT 7:00 PM, SUNDAY AT 7:00 AM AND THE FOLLOWING MONDAY AT 1:00 PM.

- CALL TO ORDER
- ANNOUNCEMENT RE: COMPLIANCE WITH OPEN MEETING LAW
- INVOCATION - MR. ROSS BENSON, CHRISTIAN SCIENCE FAITH
- PLEDGE OF ALLEGIANCE

**MINUTES:**

PRESENT: MAYOR GOODMAN and COUNCIL MEMBERS REESE, BROWN (arrived at 1:05 p.m. for the afternoon session), L.B. McDONALD (arrived at 1:05 p.m. for the afternoon session), WEEKLY, MACK, and MONCRIEF (excused from the afternoon session at 3:16 p.m.)

Also Present: CITY MANAGER DOUG SELBY, DEPUTY CITY MANAGER STEVE HOUCHENS, DEPUTY CITY MANAGER BETSY FRETWELL, CITY ATTORNEY BRAD JERBIC, DEPUTY CITY ATTORNEY TOM GREEN, DEPUTY CITY ATTORNEY BRYAN SCOTT (P.M. Session), and CITY CLERK BARBARA JO RONEMUS

ANNOUNCEMENT MADE – Meeting noticed and posted at the following locations:

Las Vegas Library, 833 Las Vegas Boulevard North  
Senior Citizens Center, 450 E. Bonanza Road  
Clark County Government Center, 500 S. Grand Central Parkway  
Court Clerk's Bulletin Board, City Hall  
City Hall Plaza, Posting Board

(9:06 – 9:07)

**1-1**

MR. ROSS BENSON, Christian Science Faith, gave the invocation.

(9:07)

**1-21**

MAYOR GOODMAN led the audience in the Pledge.

(9:07 – 9:09)

**1-41**

**AGENDA SUMMARY PAGE**  
**CITY COUNCIL MEETING OF: OCTOBER 1, 2003**

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**DEPARTMENT: PUBLIC AFFAIRS**

**DIRECTOR: DAVID RIGGLEMAN**

☐

**CONSENT**

☐

**DISCUSSION**

**SUBJECT:**

**CEREMONIAL:**

RECOGNITION OF THE CITIZEN OF THE MONTH

**Fiscal Impact**

☒

**No Impact**

**Amount:**

☐

**Budget Funds Available**

**Dept./Division:**

☐

**Augmentation Required**

**Funding Source:**

**PURPOSE/BACKGROUND:**

**RECOMMENDATION:**

**BACKUP DOCUMENTATION:**

Submitted after the meeting: copy of proclamation recognizing June Ingram as Citizen of the Month

**MOTION:**

None required. A presentation was made.

**MINUTES:**

COUNCILWOMAN MONCRIEF recognized JUNE INGRAM as Citizen of the Month for her involvement in the Charleston Heights neighborhood and its Charleston Preservation Committee. She has planted trees, participated in many neighborhood cleanups, and has attended many Council meetings to voice her opinions. MS. INGRAM was very surprised to receive recognition for something she enjoys doing.

(9:09 – 9:11)

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**DEPARTMENT: PUBLIC AFFAIRS**

**DIRECTOR: DAVID RIGGLEMAN**

☐

**CONSENT**

☐

**DISCUSSION**

**SUBJECT:**

**CEREMONIAL:**

RECOGNITION OF SENIOR OF THE QUARTER

**Fiscal Impact**

☒

**No Impact**

**Amount:**

☐

**Budget Funds Available**

**Dept./Division:**

☐

**Augmentation Required**

**Funding Source:**

**PURPOSE/BACKGROUND:**

**RECOMMENDATION:**

**[BACKUP DOCUMENTATION:](#)**

**MOTION:**

None required. A presentation was made.

**MINUTES:**

MAYOR GOODMAN invited MEL HENKIN, Chairman of the Senior Citizens Advisory Board, to come up and present the Senior of the Quarter Award. MR. HENKIN honored PHIL and MERLE CUTON, who were nominated by a resident of Rancho Manor. The CUTONS are concerned about making a difference in the lives of their neighbors and serve on numerous committees in an effort to try and improve the quality of life in their community. They recently spent two months helping to paint two block walls the length of 300 feet in the Rancho Manor neighborhood. This is only one example of how this couple is volunteering time to neighborhood improvement activities. MR. HENKIN congratulated the CUTONS for making Las Vegas a better place to live.

MR. CUTON said that it has been fun for him and his wife to paint walls. He informed COUNCILMAN WEEKLY that he was going to help him and his wife dispose of a derelict trailer someone left in his neighborhood. He asked that people stop throwing garbage out of their windows.

(9:11 – 9:14)

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**DEPARTMENT: PUBLIC AFFAIRS**

**DIRECTOR: DAVID RIGGLEMAN**

☐

**CONSENT**

☐

**DISCUSSION**

**SUBJECT:**

**CEREMONIAL:**

RECOGNITION OF OUTSTANDING COMMUNITY LATINO LEADERS

**Fiscal Impact**

☒

**No Impact**

**Amount:**

☐

**Budget Funds Available**

**Dept./Division:**

☐

**Augmentation Required**

**Funding Source:**

**PURPOSE/BACKGROUND:**

**RECOMMENDATION:**

**[BACKUP DOCUMENTATION:](#)**

**MOTION:**

None required. A presentation was made.

**MINUTES:**

As part of Hispanic Heritage Month, which runs from September 15 to October 15, COUNCILMAN WEEKLY recognized the following outstanding community Latino leaders who have worked very hard to make a difference in the community: EDUARDO LOPEZ RAJO, President of the Salvadorian Foundation, BRENDA MACIAS-TORRES, News Anchor of Univision/KINC en Espanol, DOMINGO CAMBEIRO, owner of Domingo Cambeiro Corporation, ISAAC BARRON, Teacher/Advisor of the Latino Student Organization at Rancho High School, JOHN SAWYER, Hispanic Museum of Nevada, and KELLY BENAVIDEZ, Ward 5 Council Liaison, who does a lot of Hispanic outreach for the City.

(9:14 – 9:20)

**1-258**

**AGENDA SUMMARY PAGE**  
**CITY COUNCIL MEETING OF: OCTOBER 1, 2003**

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**DEPARTMENT: PUBLIC AFFAIRS**

**DIRECTOR: DAVID RIGGLEMAN**

☐

**CONSENT**

☐

**DISCUSSION**

**SUBJECT:**

**CEREMONIAL:**

RECOGNITION OF FIRE PREVENTION WEEK

**Fiscal Impact**

☒

**No Impact**

**Amount:**

☐

**Budget Funds Available**

**Dept./Division:**

☐

**Augmentation Required**

**Funding Source:**

**PURPOSE/BACKGROUND:**

**RECOMMENDATION:**

**BACKUP DOCUMENTATION:**

Submitted at the meeting: copy of proclamation proclaiming October 5-11, 2003, Fire Prevention Week

**MOTION:**

None required. A presentation was made.

**MINUTES:**

MAYOR GOODMAN read and presented a proclamation to CHIEF DAVID WASHINGTON, Las Vegas Fire and Rescue. He proclaimed October 5-11, 2003 as Fire Prevention Week. He noted that this week commemorates the great Chicago fire of 1871, which killed over 250 people, left over 100,000 people homeless, and destroyed more than 17,400 buildings. He asked everyone to participate in Fire Prevention Week and make Las Vegas safe from fire.

CHIEF WASHINGTON indicated that the following Wednesday the Las Vegas Fire and Rescue firefighters would be going door-to-door passing out information dealing with fire safety. This will give the citizens the opportunity to ask questions regarding fire safety. He invited the Council members to join them in the walk, and then disseminated the fire safety booklets to the Council members.

CHIEF WASHINGTON introduced BRUCE KAYCHILL of TargetSafety.com, which offers an interactive web-based training program. Las Vegas Fire and Rescue has been taking advantage of this educational tool for the past year. MR. KAYCHILL said he would be presenting the Leadership Award to CHIEF WASHINGTON, noting that Las Vegas Fire and Rescue is considered to be one of the finest fire departments in the country. He had the

# *City of Las Vegas*

CITY COUNCIL MEETING OF OCTOBER 1, 2003

Ceremonial

Recognition of Fire Prevention Week

## **MINUTES – Continued:**

opportunity to witness the aptitude of the Las Vegas Fire and Rescue firefighters when one of the golfers he was golfing with became suddenly ill. Within two minutes of the phone call firefighters were working on this individual who had had a heart attack. Their precision, speed, and professionalism were incredible.

MR. KAYCHILL noted that using the Internet as an educational tool will save the City over \$500,000 during 2003. CHIEF WASHINGTON and ASSISTANT CHIEF GENE CAMPBELL accepted the award on behalf of the men and women of Las Vegas Fire and Rescue.

(9:20 – 9:27)

**1-443**

**AGENDA SUMMARY PAGE**  
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**DEPARTMENT: CITY CLERK**

**DIRECTOR: BARBARA JO (RONI) RONEMUS** ☐ **CONSENT** ☐ **DISCUSSION**

**SUBJECT:**

**BUSINESS ITEMS:**

Any items from the morning session that the Council, staff and/or the applicant wish to be stricken or held in abeyance to a future meeting may be brought forward and acted upon at this time

**MOTION:**

**REESE – Motion to bring forward Item 55 for discussion – UNANIMOUS**

**Item 55: Held in ABEYANCE to 11/5/2003 under separate action** (see individual item)

**MINUTES:**

COUNCILMAN REESE announced that Item 4 of the 10/1/2003 Redevelopment Agency Agenda had been requested by staff to be stricken. Action will be taken during the Redevelopment Agency following the City Council meeting.

There was no further discussion.

(9:27 – 9:29)  
1-680

**AGENDA SUMMARY PAGE**  
**CITY COUNCIL MEETING OF: OCTOBER 1, 2003**

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**DEPARTMENT: CITY CLERK**

**DIRECTOR: BARBARA JO (RONI) RONEMUS** ☐ **CONSENT** ☐ **DISCUSSION**

**SUBJECT:**

**BUSINESS ITEMS:**

Approval of the Final Minutes by reference of the Regular City Council Meeting of September 3, 2003

**MOTION:**

**REESE – APPROVED by Reference – UNANIMOUS**

**MINUTES:**

There was no discussion.

(9:34 – 9:35)

**1-941**



**AGENDA SUMMARY PAGE**  
**CITY COUNCIL MEETING OF: OCTOBER 1, 2003**

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**DEPARTMENT: CITY MANAGER****DIRECTOR: DOUGLAS A. SELBY**☒**CONSENT**☐**DISCUSSION****SUBJECT:**

ADMINISTRATIVE:

Approval of First Amendment to the Designated Services Agreement with Design Workshop, Inc. to design streetscapes, plazas and open space for Phase 1 construction of the Framework Plan on the 61-acre project, APNs 139-34-110-002 & 003 (\$1,500,000 - Industrial Development Special Revenue Fund) - Ward 5 (Weekly)

**Fiscal Impact**☐**No Impact****Amount:** \$1,500,000☐**Budget Funds Available****Dept./Division:** City Parkway IV and V, Inc.☒**Augmentation Required****Funding Source:** Industrial Development Special Revenue Fund**PURPOSE/BACKGROUND:**

In March, City Parkway IV and V, Inc. entered into a Designated Services Agreement with Design Workshop, Inc. to undertake planning/designing studies for the 61-acre Framework Plan. In September, the City Council approved the Framework plan. This amendment is to expand Design Workshop's service fee to design streetscapes, plazas and open space for Phase 1 construction as presented to City Council on September 17, 2003 to include Schematic Design, Design Development and Construction Documents.

**RECOMMENDATION:**

That the City Council approve the Amended Designated Services Agreement, streetscape, plaza and open space design, Phase 1 construction, 61-acre project Framework Plan to Design Workshop, Inc in the amount of \$1,500,000 including reimbursable expenses. Approval to execute amendment is given to President of City Parkways.

**BACKUP DOCUMENTATION:**

1. Agenda Memo
2. First Amendment to Designated Services Agreement
3. Disclosure of Principals
4. Location Map

**MOTION:**

**REESE – Motion to APPROVE Items 3-11, 13, 15-22, and 24-53, as recommended, and STRIKE Item 23 – UNANIMOUS with MACK abstaining on Item 49 because it directly affects the principals of Becker Gaming, a client of MK<sup>2</sup>, and Item 52 because it is related to a larger project with the possibility of impacting land owned by his brother, STEVEN MACK**

**CITY COUNCIL MEETING OF OCTOBER 1, 2003**

**Consent – Administrative**

**Item 3 – Approval of First Amendment to the Designated Services Agreement with Design Workshop, Inc. to design streetscapes, plazas and open space for Phase 1 construction of the Framework Plan on the 61-acre project, APNs 139-34-110-002 & 003 (\$1,500,000 - Industrial Development Special Revenue Fund)**

**MOTION – Continued:**

NOTE: As outside director of Station Casinos, COUNCILWOMAN McDONALD disclosed that even though Items 17 and 18 involve privileged licenses for gaming, she would be voting on these matters as she has not discussed them with Station Casinos and she does not believe that her vote will impact the company nor will her affiliation with Station Casinos interfere with her independent judgment on these items.

NOTE: COUNCILMAN MACK disclosed that the locations involved in Items 15, 19, and 23 are near SuperPawn shops, with which he is affiliated, and which are owned by his brother, STEVEN MACK. Moreover, Item 19 is near the offices of Becker Gaming, a client of MK<sup>2</sup>, with which he is affiliated. The principal parties of Becker Gaming are also owners of land near the location in Item 46, but are not directly involved in this proposal. Since neither his brother or representatives of Becker Gaming have approached him on any of these items and he does not believe these interests would be affected by them, he would be voting on the aforementioned items. Furthermore, COUNCILMAN MACK noted that he previously abstained on items related to Poggemeyer Design Group, but that that contract with MK<sup>2</sup> was completed in July 2003 and he is now free to vote on actions related to their business.

**MINUTES:**

COUNCILMAN WEEKLY reported that the Real Estate Committee reviewed all the Real Estate items on the Consent Agenda and joins with the recommendation of staff that each item be approved by the City Council.

COUNCILMEN WEEKLY and REESE respectively requested Items 12 and 14 be pulled from the Consent Agenda for discussion.

There was no related discussion.

(9:32 – 9:35)

**1-825**

**AGENDA SUMMARY PAGE**  
**CITY COUNCIL MEETING OF: OCTOBER 1, 2003**

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**DEPARTMENT: CITY MANAGER****DIRECTOR: DOUGLAS A. SELBY**☒**CONSENT**☐**DISCUSSION****SUBJECT:**

ADMINISTRATIVE:

Approval of Second Amendment to the Designated Services Agreement with Kimley-Horn and Associates for streets and infrastructure improvement design for Phase 1 of the Framework Plan on the 61-acre project, APNs 139-34-110-002 & 003 (\$670,000 - Industrial Development Special Revenue Fund) - Ward 5 (Weekly)

**Fiscal Impact**☐**No Impact****Amount:** \$670,000☐**Budget Funds Available****Dept./Division:** City Parkway IV and V, Inc.☒**Augmentation Required****Funding Source:** Industrial Development Special Revenue Fund**PURPOSE/BACKGROUND:**

In March, City Parkway IV and V, Inc. entered into a Designated Services Agreement with Kimley-Horn to undertake engineering and infrastructure studies for the 61-acre master plan. Having completed that work, we are now positioned to move forward with Phase 1 Design as per the Framework Plan approved by City Council on September 17, 2003. This amendment is for the streets and infrastructure improvement design fee to Kimley-Horn for Phase 1.

**RECOMMENDATION:**

That the City Council approve the Second Amended Designated Services Agreement, streets & infrastructure improvement design, Framework Plan Phase 1 to Kimley-Horn & Assoc. in the amount of \$670,000 including reimbursable expenses. Approval to execute amendment is given to President of City Parkways.

**BACKUP DOCUMENTATION:**

1. Agenda Memo
2. Second Amendment to Designated Services Agreement
3. Disclosure of Principals
4. Location Map

**MOTION:**

**REESE** – Motion to **APPROVE** Items 3-11, 13, 15-22, and 24-53, as recommended, and **STRIKE** Item 23 – **UNANIMOUS** with **MACK** abstaining on Item 49 because it directly affects the principals of Becker Gaming, a client of MK<sup>2</sup>, and Item 52 because it is related to a larger project with the possibility of impacting land owned by his brother, **STEVEN MACK**

**Items 12 & 14:**        **APPROVED** under separate actions (see individual items)

CITY COUNCIL MEETING OF OCTOBER 1, 2003

Consent – Administrative

Item 4 – Approval of Second Amendment to the Designated Services Agreement with Kimley-Horn and Associates for streets and infrastructure improvement design for Phase 1 of the Framework Plan on the 61-acre project, APNs 139-34-110-002 & 003 (\$670,000 - Industrial Development Special Revenue Fund)

**MINUTES:**

There was no related discussion.

(9:32 – 9:35)

1-825

**AGENDA SUMMARY PAGE**  
**CITY COUNCIL MEETING OF: OCTOBER 1, 2003**

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**DEPARTMENT: CITY ATTORNEY**

**DIRECTOR: BRADFORD R. JERBIC**

☒

**CONSENT**

☐

**DISCUSSION**

**SUBJECT:**

Approval of settlement of Britt v. City of Las Vegas, et al., United States District Court Case No. CV-S-00-571-LRH(RJJ) - (\$35,500 - Tort Self-Insurance Fund)

**Fiscal Impact**

☐

**No Impact**

**Amount: \$35,500**

☒

**Budget Funds Available**

**Dept./Division: Risk Management**

☐

**Augmentation Required**

**Funding Source: Tort Self-Insurance Fund**

**PURPOSE/BACKGROUND:**

Discussion and possible action authorizing settlement of Britt v. City of Las Vegas, et al.

**RECOMMENDATION:**

Approval

**BACKUP DOCUMENTATION:**

None

**MOTION:**

**REESE – Motion to APPROVE Items 3-11, 13, 15-22, and 24-53, as recommended, and STRIKE Item 23 – UNANIMOUS with MACK abstaining on Item 49 because it directly affects the principals of Becker Gaming, a client of MK<sup>2</sup>, and Item 52 because it is related to a larger project with the possibility of impacting land owned by his brother, STEVEN MACK**

**Items 12 & 14: APPROVED under separate actions (see individual items)**

**MINUTES:**

There was no related discussion.

(9:32 – 9:35)

1-825

**AGENDA SUMMARY PAGE**  
**CITY COUNCIL MEETING OF: OCTOBER 1, 2003**

**DEPARTMENT: CITY CLERK**

**DIRECTOR: BARBARA JO (RONI) RONEMUS** ☒ **CONSENT** ☐ **DISCUSSION**

**SUBJECT:**

Approval of notification of filing of Declarations of Interest in property located in the existing Redevelopment Areas

**Fiscal Impact**

<input checked="" type="checkbox"/>	<b>No Impact</b>	<b>Amount:</b>
<input type="checkbox"/>	<b>Budget Funds Available</b>	<b>Dept./Division:</b>
<input type="checkbox"/>	<b>Augmentation Required</b>	<b>Funding Source:</b>

**PURPOSE/BACKGROUND:**

The Nevada Community Redevelopment Law (NRS 279.454) requires any officer or employee of the City who participates in the formulation of or approval of plans or policies for the redevelopment area to disclose any direct or indirect financial interest he/she has in said property; and, if any officer or employee owns, purchases or acquires any interest in such property, they shall make a written disclosure of said interest on the minutes of both the City Council and the Redevelopment Agency.

**RECOMMENDATION:**

By approving this notification, the Council acknowledges the names of those persons filing a Disclosure of Interest as indicated in Attachment C and that Attachment C is made part of the minutes of today's City Council Meeting.

**BACKUP DOCUMENTATION:**

1. Agenda Memo containing procedure used by the City Clerk for appropriate filings
2. Distribution List (Attachment A)
3. Name and title of City employees submitting Disclosure of Interest forms (Attachment B)
4. Completed filings for those persons with an interest to declare (Attachment C)

**MOTION:**

**REESE – Motion to APPROVE Items 3-11, 13, 15-22, and 24-53, as recommended, and STRIKE Item 23 – UNANIMOUS with MACK abstaining on Item 49 because it directly affects the principals of Becker Gaming, a client of MK<sup>2</sup>, and Item 52 because it is related to a larger project with the possibility of impacting land owned by his brother, STEVEN MACK**

**Items 12 & 14: APPROVED under separate actions (see individual items)**

**MINUTES:**

There was no related discussion.

(9:32 – 9:35)  
1-825

**AGENDA SUMMARY PAGE**  
**CITY COUNCIL MEETING OF: OCTOBER 1, 2003**

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**DEPARTMENT: FINANCE AND BUSINESS SERVICES**

**DIRECTOR: MARK R. VINCENT**

☒

**CONSENT**

☐

**DISCUSSION**

**SUBJECT:**

Approval of Service and Material Checks/Payroll Checks/Wire Transfers/Other Checks and Investments

**Fiscal Impact**

☐

**No Impact**

**Amount:** \$62,798,471.74

☒

**Budget Funds Available**

**Dept./Division:** Accounting Operations

☐

**Augmentation Required**

**Funding Source:** All Funds

**PURPOSE/BACKGROUND:**

In compliance with the City's Municipal Code, Chapter 4.12, this is an informational item that provides the dollar amount of disbursements processed by the Finance and Business Services Department.

**RECOMMENDATION:**

**BACKUP DOCUMENTATION:**

Summary of cash expenditures for the period 09/01/03/03 - 09/15/03

Total Services and Materials Checks	\$	10,351,067.37
Total Payroll Checks	\$	5,382,240.49
Total Wire Transfers	\$	47,065,163.88

**MOTION:**

**REESE – Motion to APPROVE Items 3-11, 13, 15-22, and 24-53, as recommended, and STRIKE Item 23 – UNANIMOUS with MACK abstaining on Item 49 because it directly affects the principals of Becker Gaming, a client of MK<sup>2</sup>, and Item 52 because it is related to a larger project with the possibility of impacting land owned by his brother, STEVEN MACK**

**Items 12 & 14: APPROVED under separate actions (see individual items)**

**MINUTES:**

There was no related discussion.

(9:32 – 9:35)

1-825

**AGENDA SUMMARY PAGE**  
**CITY COUNCIL MEETING OF: OCTOBER 1, 2003**

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**DEPARTMENT: FINANCE AND BUSINESS SERVICES**

**DIRECTOR: MARK R. VINCENT**

☒

**CONSENT**

☐

**DISCUSSION**

**SUBJECT:**

Approval of a Special Event License for Gustav International Chartered, Location: Hills Park, 9000 Hillpointe Road, Date: October 5, 2003, Type: Special Event Beer/Wine, Event: Concert, Responsible Person in Charge: Ralph Navarino - Ward 4 (Brown)

**Fiscal Impact**

☒

**No Impact**

**Amount:**

☐

**Budget Funds Available**

**Dept./Division:**

☐

**Augmentation Required**

**Funding Source:**

**PURPOSE/BACKGROUND:**

Approval of a Special Event License

**RECOMMENDATION:**

Recommend approval

**BACKUP DOCUMENTATION:**

None

**MOTION:**

**REESE – Motion to APPROVE Items 3-11, 13, 15-22, and 24-53, as recommended, and STRIKE Item 23 – UNANIMOUS with MACK abstaining on Item 49 because it directly affects the principals of Becker Gaming, a client of MK<sup>2</sup>, and Item 52 because it is related to a larger project with the possibility of impacting land owned by his brother, STEVEN MACK**

**Items 12 & 14: APPROVED under separate actions (see individual items)**

**MINUTES:**

There was no related discussion.

(9:32 – 9:35)

1-825



**AGENDA SUMMARY PAGE**  
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**DEPARTMENT: FINANCE AND BUSINESS SERVICES**

**DIRECTOR: MARK R. VINCENT**

☒

**CONSENT**

☐

**DISCUSSION**

**SUBJECT:**

Approval of a Special Event License for Tenaya Point, LLC, Location: Tenaya Creek Restaurant & Brewery, 3101 North Tenaya Way, Date: October 11, 2003, Type: Special Event General, Event: Oktoberfest, Responsible Person in Charge: Tim Etter - Ward 4 (Brown)

**Fiscal Impact**

☒

**No Impact**

**Amount:**

☐

**Budget Funds Available**

**Dept./Division:**

☐

**Augmentation Required**

**Funding Source:**

**PURPOSE/BACKGROUND:**

Approval of a Special Event License

**RECOMMENDATION:**

Recommend approval

**BACKUP DOCUMENTATION:**

None

**MOTION:**

**REESE** – Motion to **APPROVE** Items 3-11, 13, 15-22, and 24-53, as recommended, and **STRIKE** Item 23 – **UNANIMOUS** with **MACK** abstaining on Item 49 because it directly affects the principals of Becker Gaming, a client of MK<sup>2</sup>, and Item 52 because it is related to a larger project with the possibility of impacting land owned by his brother, **STEVEN MACK**

**Items 12 & 14:**        **APPROVED** under separate actions (see individual items)

**MINUTES:**

There was no related discussion.

(9:32 – 9:35)

1-825

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**DEPARTMENT: FINANCE AND BUSINESS SERVICES**

**DIRECTOR: MARK R. VINCENT**

☒

**CONSENT**

☐

**DISCUSSION**

**SUBJECT:**

Approval of a Special Event License for Summerlin Hospital Medical Center, Location: Silverstone Golf Club, 8600 Cupp Drive, Date: October 11, 2003, Type: Special Event Beer/Wine, Event: Charity Golf Tournament, Responsible Person in Charge: Scott Peterson - Ward 6 (Mack)

**Fiscal Impact**

☒

**No Impact**

**Amount:**

☐

**Budget Funds Available**

**Dept./Division:**

☐

**Augmentation Required**

**Funding Source:**

**PURPOSE/BACKGROUND:**

Approval of a Special Event License

**RECOMMENDATION:**

Recommend approval

**BACKUP DOCUMENTATION:**

None

**MOTION:**

**REESE – Motion to APPROVE Items 3-11, 13, 15-22, and 24-53, as recommended, and STRIKE Item 23 – UNANIMOUS with MACK abstaining on Item 49 because it directly affects the principals of Becker Gaming, a client of MK<sup>2</sup>, and Item 52 because it is related to a larger project with the possibility of impacting land owned by his brother, STEVEN MACK**

**Items 12 & 14: APPROVED under separate actions (see individual items)**

**MINUTES:**

There was no related discussion.

(9:32 – 9:35)

1-825

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**DEPARTMENT: FINANCE AND BUSINESS SERVICES**

**DIRECTOR: MARK R. VINCENT**

☒

**CONSENT**

☐

**DISCUSSION**

**SUBJECT:**

Approval of a Special Event License for Las Vegas Founders Club, Location: Tournament Players Club at Summerlin, 1700 Village Center Circle, Dates: October 6-12, 2003, Type: Special Event General, Event: Las Vegas Invitational, Responsible Person in Charge: David Roush - Ward 2 (L.B. McDonald)

**Fiscal Impact**

☒

**No Impact**

**Amount:**

☐

**Budget Funds Available**

**Dept./Division:**

☐

**Augmentation Required**

**Funding Source:**

**PURPOSE/BACKGROUND:**

Approval of a Special Event License

**RECOMMENDATION:**

Recommend approval

**BACKUP DOCUMENTATION:**

None

**MOTION:**

**REESE – Motion to APPROVE Items 3-11, 13, 15-22, and 24-53, as recommended, and STRIKE Item 23 – UNANIMOUS with MACK abstaining on Item 49 because it directly affects the principals of Becker Gaming, a client of MK<sup>2</sup>, and Item 52 because it is related to a larger project with the possibility of impacting land owned by his brother, STEVEN MACK**

**Items 12 & 14: APPROVED under separate actions (see individual items)**

**MINUTES:**

There was no related discussion.

(9:32 – 9:35)

1-825

**AGENDA SUMMARY PAGE**  
**CITY COUNCIL MEETING OF: OCTOBER 1, 2003**

**DEPARTMENT: FINANCE AND BUSINESS SERVICES**

**DIRECTOR: MARK R. VINCENT**

☒

**CONSENT**

☐

**DISCUSSION**

**SUBJECT:**

Approval of a new Beer/Wine/Cooler Off-sale License subject to Health Dept. regulations, Melva Boyd, dba Lucky Champ, 1420 West Bonanza Road, Melva D. Boyd, 100% - Ward 5 (Weekly)

**Fiscal Impact**

☒

**No Impact**

**Amount:**

☐

**Budget Funds Available**

**Dept./Division:**

☐

**Augmentation Required**

**Funding Source:**

**PURPOSE/BACKGROUND:**

Approval of a new Beer/Wine/Cooler Off-sale License

**RECOMMENDATION:**

Recommend approval subject to Health Dept. regulations

**BACKUP DOCUMENTATION:**

Map

**MOTION:**

**WEEKLY – APPROVED as recommended and with a six-month (4/7/2004) review - UNANIMOUS**

**MINUTES:**

The applicant was not present.

COUNCILMAN WEEKLY indicated that he was not given the opportunity to speak with MS. BOYD to share his concerns regarding this business location, as he did with the previous owner. JIM DiFIORE, Manager, Business Services, indicated that an investigation was conducted and no areas of concern came up. A calls-for-service run did show 77 calls for service to this location, the majority being disturbance calls. He suggested holding the matter for two weeks to give COUNCILMAN WEEKLY the opportunity to speak with MS. BOYD. COUNCILMAN WEEKLY preferred to place a six-month review on the license, because he wants to make sure MS. BOYD understands the rules, given the difficulty of this area. He stressed that he would not vacillate in revoking the license immediately if any problems arise.

There was no further discussion.

(9:35 – 9:39)

1-937

**AGENDA SUMMARY PAGE**  
**CITY COUNCIL MEETING OF: OCTOBER 1, 2003**

**DEPARTMENT: FINANCE AND BUSINESS SERVICES**

**DIRECTOR: MARK R. VINCENT**

☒

**CONSENT**

☐

**DISCUSSION**

**SUBJECT:**

Approval of a new Beer/Wine/Cooler Off-sale License subject to Health Dept. regulations, Stutsman & Stutsman, dba Grocery Outlet of Las Vegas, 1110 East Charleston Boulevard, Glen E. Stutsman, Independent Store Operator, 50%, Rebecca R. Stutsman, Independent Store Operator, 50%, Grocery Outlet, Inc., Co-Licensee, Steven M. Read, Dir, 50%, James P. Read, Jr., Dir, 50%, James M. Patitucci, Pres, Michael J. Ward, Secy, Treas, Ronald E. Troth, VP of Operations - Ward 3 (Reese)

**Fiscal Impact**

☒

**No Impact**

**Amount:**

☐

**Budget Funds Available**

**Dept./Division:**

☐

**Augmentation Required**

**Funding Source:**

**PURPOSE/BACKGROUND:**

Approval of a new Beer/Wine/Cooler Off-sale License

**RECOMMENDATION:**

Recommend approval subject to Health Dept. regulations

**BACKUP DOCUMENTATION:**

Map

**MOTION:**

**REESE** – Motion to **APPROVE** Items 3-11, 13, 15-22, and 24-53, as recommended, and **STRIKE** Item 23 – **UNANIMOUS** with **MACK** abstaining on Item 49 because it directly affects the principals of Becker Gaming, a client of MK<sup>2</sup>, and Item 52 because it is related to a larger project with the possibility of impacting land owned by his brother, **STEVEN MACK**

**Items 12 & 14: APPROVED under separate actions** (see individual items)

**MINUTES:**

There was no related discussion.

(9:32 – 9:35)

1-825

**AGENDA SUMMARY PAGE**  
**CITY COUNCIL MEETING OF: OCTOBER 1, 2003**

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**DEPARTMENT: FINANCE AND BUSINESS SERVICES**

**DIRECTOR: MARK R. VINCENT**

☒

**CONSENT**

☐

**DISCUSSION**

**SUBJECT:**

Approval of Change of Ownership for a Package License subject to the provisions of the fire codes and Health Dept. regulations, From: Sam E. Hamika, Ptnr, 50% and Basil E. Hamika, Ptnr, 50%, To: Hirmis B. Haron, dba Stewart Market, 2021 Stewart Avenue, Hirmis B. Haron, 100% - Ward 3 (Reese)

**Fiscal Impact**

☒

**No Impact**

**Amount:**

☐

**Budget Funds Available**

**Dept./Division:**

☐

**Augmentation Required**

**Funding Source:**

**PURPOSE/BACKGROUND:**

Approval of Change of Ownership for a Package License

**RECOMMENDATION:**

Recommend temporary approval with a six month review and subject to the provisions of the fire codes and Health Dept. regulations

**BACKUP DOCUMENTATION:**

None

**MOTION:**

**REESE – APPROVED as recommended and with a six-month (4/7/2004) review - UNANIMOUS**

**MINUTES:**

An unidentified representative of the applicant was present, as well as JIM DiFIORE, Manager, Business Services.

COUNCILMAN REESE said that this store has been in operation for many years; however, it is in desperate need of repair. The store should be renovated, especially with all the money being spent on improvements to Stewart Avenue. If the store is not brought up to standards, it should be closed down. He requested a six-month review to see if improvements are made.

There was no further discussion.

(9:39 – 9:42)

**1-1060**

**AGENDA SUMMARY PAGE**  
**CITY COUNCIL MEETING OF: OCTOBER 1, 2003**

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**DEPARTMENT: FINANCE AND BUSINESS SERVICES****DIRECTOR: MARK R. VINCENT**☒**CONSENT**☐**DISCUSSION****SUBJECT:**

Approval of Change of Ownership, Location and Business Name for a Package License subject to the provisions of the planning codes and Health Dept. regulations, From: Van Lee, dba X O Liquor, 1616 Las Vegas Boulevard South (Non-operational), Van Lee, 100%, To: Arelni, LLC, dba Viva Vegas Gifts - Tower, 2000 Las Vegas Boulevard South, #C08, Ariel A. Akerman, Managing Mmbr, 95%, Guido H. Akerman, Mmbr, 5% - Ward 1 (Moncrief)

**Fiscal Impact**☒**No Impact****Amount:**☐**Budget Funds Available****Dept./Division:**☐**Augmentation Required****Funding Source:****PURPOSE/BACKGROUND:**

Approval of Change of Ownership, Location and Business Name for a Package License

**RECOMMENDATION:**

Recommend approval subject to the provisions of the planning codes and Health Dept. regulations

**BACKUP DOCUMENTATION:**

Map

**MOTION:**

**REESE – Motion to APPROVE Items 3-11, 13, 15-22, and 24-53, as recommended, and STRIKE Item 23 – UNANIMOUS with MACK abstaining on Item 49 because it directly affects the principals of Becker Gaming, a client of MK<sup>2</sup>, and Item 52 because it is related to a larger project with the possibility of impacting land owned by his brother, STEVEN MACK**

**Items 12 & 14: APPROVED under separate actions (see individual items)**

NOTE: COUNCILMAN MACK disclosed that the locations involved in Items 15, 19, and 23 are near SuperPawn shops, with which he is affiliated and are owned by his brother, STEVEN MACK. Moreover, Item 19 is near the offices of Becker Gaming, a client of MK<sup>2</sup>, with which he is affiliated. The principal parties of Becker Gaming are also owners of land near the location in Item 46, but are not directly involved in this proposal. Since neither his brother or representatives of Becker Gaming have approached him on any of these items and he does not believe their interests would be affected, he would be voting on the aforementioned items. Furthermore, COUNCILMAN MACK noted that he previously abstained on items related to Poggemeyer Design Group, but that that contract with MK<sup>2</sup> was completed in July 2003 and he is now free to vote on actions related to their business.

CITY COUNCIL MEETING OF OCTOBER 1, 2003

Consent - Finance and Business Services

Item 15 - Approval of Change of Ownership, Location and Business Name for a Package License subject to the provisions of the planning codes and Health Dept. regulations, From: Van Lee, dba X O Liquor, 1616 Las Vegas Boulevard South (Non-operational), Van Lee, 100%, To: Arelni, LLC, dba Viva Vegas Gifts - Tower, 2000 Las Vegas Boulevard South, #C08, Ariel A. Akerman, Managing Mmbr, 95%, Guido H. Akerman, Mmbr, 5%

**MINUTES:**

There was no further discussion.

(9:32 – 9:35)

1-825



**AGENDA SUMMARY PAGE**  
**CITY COUNCIL MEETING OF: OCTOBER 1, 2003**

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**DEPARTMENT: FINANCE AND BUSINESS SERVICES**

**DIRECTOR: MARK R. VINCENT**

☒

**CONSENT**

☐

**DISCUSSION**

**SUBJECT:**

Approval of Change of Business Name for a Beer/Wine/Cooler Off-sale License, Leecard Enterprises Corp., dba From: R & R Station #2, To: Hot Spot, 4708 West Charleston Boulevard, Allan D. Silberstang, Dir, Pres, Secy, Treas, 100% - Ward 1 (Moncrief)

**Fiscal Impact**

☒

**No Impact**

**Amount:**

☐

**Budget Funds Available**

**Dept./Division:**

☐

**Augmentation Required**

**Funding Source:**

**PURPOSE/BACKGROUND:**

Approval of Change of Business Name for a Beer/Wine/Cooler Off-sale License

**RECOMMENDATION:**

Recommend approval

**BACKUP DOCUMENTATION:**

None

**MOTION:**

**REESE – Motion to APPROVE Items 3-11, 13, 15-22, and 24-53, as recommended, and STRIKE Item 23 – UNANIMOUS with MACK abstaining on Item 49 because it directly affects the principals of Becker Gaming, a client of MK<sup>2</sup>, and Item 52 because it is related to a larger project with the possibility of impacting land owned by his brother, STEVEN MACK**

**Items 12 & 14: APPROVED under separate actions (see individual items)**

**MINUTES:**

There was no related discussion.

(9:32 – 9:35)

1-825

**AGENDA SUMMARY PAGE**  
**CITY COUNCIL MEETING OF: OCTOBER 1, 2003**

**DEPARTMENT: FINANCE AND BUSINESS SERVICES**

**DIRECTOR: MARK R. VINCENT**

☒

**CONSENT**

☐

**DISCUSSION**

**SUBJECT:**

Approval of a new Restricted Gaming License for 7 slots subject to approval by the Nevada Gaming Commission, Naveen Dadlani, dba 7-Eleven Food Store #22854C, 1468 East Charleston Boulevard, Naveen Dadlani, 100% - Ward 3 (Reese)

**Fiscal Impact**

☒

**No Impact**

**Amount:**

☐

**Budget Funds Available**

**Dept./Division:**

☐

**Augmentation Required**

**Funding Source:**

**PURPOSE/BACKGROUND:**

Approval of a new Restricted Gaming License

**RECOMMENDATION:**

Recommend approval subject to approval by the Nevada Gaming Commission

**BACKUP DOCUMENTATION:**

Map

**MOTION:**

**REESE – Motion to APPROVE Items 3-11, 13, 15-22, and 24-53, as recommended, and STRIKE Item 23 – UNANIMOUS with MACK abstaining on Item 49 because it directly affects the principals of Becker Gaming, a client of MK<sup>2</sup>, and Item 52 because it is related to a larger project with the possibility of impacting land owned by his brother, STEVEN MACK**

**Items 12 & 14: APPROVED under separate actions (see individual items)**

NOTE: As outside director of Station Casinos, COUNCILWOMAN McDONALD disclosed that even though Items 17 and 18 involve privileged licenses for gaming, she would be voting on these matters as she has not discussed them with Station Casinos and she does not believe that her vote will impact the company nor will her affiliation with Station Casinos interfere with her independent judgment on these items.

**MINUTES:**

There was no further discussion.

(9:32 – 9:35)

1-825

**AGENDA SUMMARY PAGE**  
**CITY COUNCIL MEETING OF: OCTOBER 1, 2003**

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**DEPARTMENT: FINANCE AND BUSINESS SERVICES**

**DIRECTOR: MARK R. VINCENT**

☒

**CONSENT**

☐

**DISCUSSION**

**SUBJECT:**

Approval of a new Restricted Gaming License for 4 slots subject to approval by the Nevada Gaming Commission, Dirty Duds, Inc., dba Dirty Duds Laundromat, 2517 Stewart Avenue, Janel K. Bryan, Dir, Pres, Secy, Treas, 100% - Ward 3 (Reese)

**Fiscal Impact**

☒

**No Impact**

**Amount:**

☐

**Budget Funds Available**

**Dept./Division:**

☐

**Augmentation Required**

**Funding Source:**

**PURPOSE/BACKGROUND:**

Approval of a new Restricted Gaming License

**RECOMMENDATION:**

Recommend approval subject to approval by the Nevada Gaming Commission

**BACKUP DOCUMENTATION:**

Map

**MOTION:**

**REESE – Motion to APPROVE Items 3-11, 13, 15-22, and 24-53, as recommended, and STRIKE Item 23 – UNANIMOUS with MACK abstaining on Item 49 because it directly affects the principals of Becker Gaming, a client of MK<sup>2</sup>, and Item 52 because it is related to a larger project with the possibility of impacting land owned by his brother, STEVEN MACK**

**Items 12 & 14: APPROVED under separate actions (see individual items)**

NOTE: As outside director of Station Casinos, COUNCILWOMAN McDONALD disclosed that even though Items 17 and 18 involve privileged licenses for gaming, she would be voting on these matters as she has not discussed them with Station Casinos and she does not believe that her vote will impact the company nor will her affiliation with Station Casinos interfere with her independent judgment on these items.

**MINUTES:**

There was no further discussion.

(9:32 – 9:35)

1-825

**AGENDA SUMMARY PAGE**  
**CITY COUNCIL MEETING OF: OCTOBER 1, 2003**

**DEPARTMENT: FINANCE AND BUSINESS SERVICES**

**DIRECTOR: MARK R. VINCENT**

☒

**CONSENT**

☐

**DISCUSSION**

**SUBJECT:**

Approval of a new Hypnotist License, Vance Scott, dba Vance Scott, 4750 West Sahara Avenue, Suite 34, Vance E. Scott, 100% - Ward 1 (Moncrief)

**Fiscal Impact**

☒

**No Impact**

**Amount:**

☐

**Budget Funds Available**

**Dept./Division:**

☐

**Augmentation Required**

**Funding Source:**

**PURPOSE/BACKGROUND:**

Approval of a new Hypnotist License

**RECOMMENDATION:**

Recommend approval

**BACKUP DOCUMENTATION:**

Map

**MOTION:**

**REESE – Motion to APPROVE Items 3-11, 13, 15-22, and 24-53, as recommended, and STRIKE Item 23 – UNANIMOUS with MACK abstaining on Item 49 because it directly affects the principals of Becker Gaming, a client of MK<sup>2</sup>, and Item 52 because it is related to a larger project with the possibility of impacting land owned by his brother, STEVEN MACK**

**Items 12 & 14: APPROVED under separate actions (see individual items)**

NOTE: COUNCILMAN MACK disclosed that the locations involved in Items 15, 19, and 23 are near SuperPawn shops, with which he is affiliated and are owned by his brother, STEVEN MACK. Moreover, Item 19 is near the offices of Becker Gaming, a client of MK<sup>2</sup>, with which he is affiliated. The principal parties of Becker Gaming are also owners of land near the location in Item 46, but are not directly involved in this proposal. Since neither his brother or representatives of Becker Gaming have approached him on any of these items and he does not believe their interests would be affected, he would be voting on the aforementioned items. Furthermore, COUNCILMAN MACK noted that he previously abstained on items related to Poggemeyer Design Group, but that that contract with MK<sup>2</sup> was completed in July 2003 and he is now free to vote on actions related to their business.

**MINUTES:**

There was no further discussion.

(9:32 – 9:35)

1-825

**AGENDA SUMMARY PAGE**  
**CITY COUNCIL MEETING OF: OCTOBER 1, 2003**

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**DEPARTMENT: FINANCE AND BUSINESS SERVICES**

**DIRECTOR: MARK R. VINCENT**

☒

**CONSENT**

☐

**DISCUSSION**

**SUBJECT:**

Approval of Change of Location for a Locksmith License, Vegas Valley Locking Systems, Inc., dba Vegas Valley Locking Systems, Inc., From: 6207 Industrial Road, To: 6243 Industrial Road, Bruce D. Gwin, Dir, Pres, Secy, Treas, 100% - County

**Fiscal Impact**

☒

**No Impact**

**Amount:**

☐

**Budget Funds Available**

**Dept./Division:**

☐

**Augmentation Required**

**Funding Source:**

**PURPOSE/BACKGROUND:**

Approval of Change of Location for a Locksmith License

**RECOMMENDATION:**

Recommend approval

**BACKUP DOCUMENTATION:**

None

**MOTION:**

**REESE – Motion to APPROVE Items 3-11, 13, 15-22, and 24-53, as recommended, and STRIKE Item 23 – UNANIMOUS with MACK abstaining on Item 49 because it directly affects the principals of Becker Gaming, a client of MK<sup>2</sup>, and Item 52 because it is related to a larger project with the possibility of impacting land owned by his brother, STEVEN MACK**

**Items 12 & 14: APPROVED under separate actions (see individual items)**

**MINUTES:**

There was no related discussion.

(9:32 – 9:35)

1-825

**AGENDA SUMMARY PAGE**  
**CITY COUNCIL MEETING OF: OCTOBER 1, 2003**

**DEPARTMENT: FINANCE AND BUSINESS SERVICES**

**DIRECTOR: MARK R. VINCENT**

☒

**CONSENT**

☐

**DISCUSSION**

**SUBJECT:**

Approval of Change of Location and Business Name for a Martial Arts Instruction Business License subject to the provisions of the planning and fire codes, Nazrat, Inc., dba From: Mark Lawrence Karate, 7522 Westcliff Drive, To: Bobby Lawrence Karate, 7510 Westcliff Drive, Mark Lawrence, Dir, Pres, Secy, Treas, 99.8% - Ward 2 (L.B. McDonald)

**Fiscal Impact**

☒

**No Impact**

**Amount:**

☐

**Budget Funds Available**

**Dept./Division:**

☐

**Augmentation Required**

**Funding Source:**

**PURPOSE/BACKGROUND:**

Approval of Change of Location and Business Name for a Martial Arts Instruction Business License

**RECOMMENDATION:**

Recommend approval subject to the provisions of the planning and fire codes

**BACKUP DOCUMENTATION:**

Map

**MOTION:**

**REESE – Motion to APPROVE Items 3-11, 13, 15-22, and 24-53, as recommended, and STRIKE Item 23 – UNANIMOUS with MACK abstaining on Item 49 because it directly affects the principals of Becker Gaming, a client of MK<sup>2</sup>, and Item 52 because it is related to a larger project with the possibility of impacting land owned by his brother, STEVEN MACK**

**Items 12 & 14: APPROVED under separate actions (see individual items)**

**MINUTES:**

There was no related discussion.

(9:32 – 9:35)

1-825

**AGENDA SUMMARY PAGE**  
**CITY COUNCIL MEETING OF: OCTOBER 1, 2003**

---

**DEPARTMENT: FINANCE AND BUSINESS SERVICES**

**DIRECTOR: MARK R. VINCENT**

☒

**CONSENT**

☐

**DISCUSSION**

**SUBJECT:**

Approval of a new Psychic Art and Science License, Susan Paperno, dba Susan Paperno, 2620 Regatta Drive, Suites 112 and 113, Susan R. Paperno, 100% - Ward 4 (Brown)

**Fiscal Impact**

☒

**No Impact**

**Amount:**

☐

**Budget Funds Available**

**Dept./Division:**

☐

**Augmentation Required**

**Funding Source:**

**PURPOSE/BACKGROUND:**

Approval of a new Psychic Art and Science License

**RECOMMENDATION:**

Recommend approval

**BACKUP DOCUMENTATION:**

Map

**MOTION:**

**REESE** – Motion to **APPROVE** Items 3-11, 13, 15-22, and 24-53, as recommended, and **STRIKE** Item 23 – **UNANIMOUS** with **MACK** abstaining on Item 49 because it directly affects the principals of Becker Gaming, a client of MK<sup>2</sup>, and Item 52 because it is related to a larger project with the possibility of impacting land owned by his brother, **STEVEN MACK**

**Items 12 & 14: APPROVED under separate actions** (see individual items)

**MINUTES:**

There was no related discussion.

(9:32 – 9:35)

1-825

**AGENDA SUMMARY PAGE**  
**CITY COUNCIL MEETING OF: OCTOBER 1, 2003**

**DEPARTMENT: FINANCE AND BUSINESS SERVICES**

**DIRECTOR: MARK R. VINCENT**

☒

**CONSENT**

☐

**DISCUSSION**

**SUBJECT:**

Approval of a new Psychic Art and Science License, Titinia Durham, dba Titinia Durham, 6848 West Charleston Boulevard, Titinia M. Durham, 100% - Ward 1 (Moncrief)

**Fiscal Impact**

☒

**No Impact**

**Amount:**

☐

**Budget Funds Available**

**Dept./Division:**

☐

**Augmentation Required**

**Funding Source:**

**PURPOSE/BACKGROUND:**

Approval of a new Psychic Art and Science License

**RECOMMENDATION:**

Recommend approval

**BACKUP DOCUMENTATION:**

Map

**MOTION:**

**REESE – Motion to APPROVE Items 3-11, 13, 15-22, and 24-53, as recommended, and STRIKE Item 23 – UNANIMOUS with MACK abstaining on Item 49 because it directly affects the principals of Becker Gaming, a client of MK<sup>2</sup>, and Item 52 because it is related to a larger project with the possibility of impacting land owned by his brother, STEVEN MACK**

**Items 12 & 14: APPROVED under separate actions (see individual items)**

NOTE: COUNCILMAN MACK disclosed that the locations involved in Items 15, 19, and 23 are near SuperPawn shops, with which he is affiliated and are owned by his brother, STEVEN MACK. Moreover, Item 19 is near the offices of Becker Gaming, a client of MK<sup>2</sup>, with which he is affiliated. The principal parties of Becker Gaming are also owners of land near the location in Item 46, but are not directly involved in this proposal. Since neither his brother or representatives of Becker Gaming have approached him on any of these items and he does not believe their interests would be affected, he would be voting on the aforementioned items. Furthermore, COUNCILMAN MACK noted that he previously abstained on items related to Poggemeyer Design Group, but that that contract with MK<sup>2</sup> was completed in July 2003 and he is now free to vote on actions related to their business.

**MINUTES:**

There was no further discussion.

(9:32 – 9:35)

1-825



**AGENDA SUMMARY PAGE**  
**CITY COUNCIL MEETING OF: OCTOBER 1, 2003**

---

**DEPARTMENT: FINANCE AND BUSINESS SERVICES**

**DIRECTOR: MARK R. VINCENT**

☒

**CONSENT**

☐

**DISCUSSION**

**SUBJECT:**

Approval of Change of Business Name for a Class II Secondhand Dealer License, Renee Poole, dba From: A Estate Liquidation, To: Call Renee! Estate Liquidation, 3618 Redwood Street, Renee Poole, 100% - County

**Fiscal Impact**

☒

**No Impact**

**Amount:**

☐

**Budget Funds Available**

**Dept./Division:**

☐

**Augmentation Required**

**Funding Source:**

**PURPOSE/BACKGROUND:**

Approval of Change of Business Name for a Class II Secondhand Dealer License

**RECOMMENDATION:**

Recommend approval

**BACKUP DOCUMENTATION:**

None

**MOTION:**

**REESE** – Motion to **APPROVE** Items 3-11, 13, 15-22, and 24-53, as recommended, and **STRIKE** Item 23 – **UNANIMOUS** with **MACK** abstaining on Item 49 because it directly affects the principals of Becker Gaming, a client of MK<sup>2</sup>, and Item 52 because it is related to a larger project with the possibility of impacting land owned by his brother, **STEVEN MACK**

**Items 12 & 14: APPROVED under separate actions** (see individual items)

**MINUTES:**

There was no related discussion.

(9:32 – 9:35)

1-825

**AGENDA SUMMARY PAGE**  
**CITY COUNCIL MEETING OF: OCTOBER 1, 2003**

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**DEPARTMENT: FINANCE AND BUSINESS SERVICES****DIRECTOR: MARK R. VINCENT**☒**CONSENT**☐**DISCUSSION****SUBJECT:**

Approval of issuance of a purchase order for the purchase and maintenance of pen-based computer hardware for patient reporting - Department of Fire and Rescue - Award recommended to: WALKABOUT COMPUTERS, INC. (\$325,106 - Capital Projects Fund)

**Fiscal Impact**☐**No Impact****Amount:** \$325,106☒**Budget Funds Available****Dept./Division:** Fire and Rescue☐**Augmentation Required****Funding Source:** Capital Projects Fund**PURPOSE/BACKGROUND:**

This contract provides for the purchase and maintenance of pen-based computer hardware to enable emergency response patient reporting and transport notification of patient condition to destination hospitals for the Department of Fire and Rescue.

This request is exempt from competitive bidding procedures pursuant to NRS 332.115.1(g), hardware and associated peripheral equipment and devices for computers.

PCC: G. Leaf

POC: Bill Patterson - (415) 258-8586

**RECOMMENDATION:**

That the City Council approve the issuance of a purchase order for the purchase and maintenance of pen-based computer hardware for patient reporting in the amount of \$325,106 to Walkabout Computers, Inc.

**BACKUP DOCUMENTATION:**

None

**MOTION:**

**REESE – Motion to APPROVE Items 3-11, 13, 15-22, and 24-53, as recommended, and STRIKE Item 23 – UNANIMOUS with MACK abstaining on Item 49 because it directly affects the principals of Becker Gaming, a client of MK<sup>2</sup>, and Item 52 because it is related to a larger project with the possibility of impacting land owned by his brother, STEVEN MACK**

**Items 12 & 14: APPROVED under separate actions (see individual items)**

**MINUTES:**

There was no related discussion.

(9:32 – 9:35)

1-825

**AGENDA SUMMARY PAGE**  
**CITY COUNCIL MEETING OF: OCTOBER 1, 2003**

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**DEPARTMENT: FINANCE AND BUSINESS SERVICES****DIRECTOR: MARK R. VINCENT**☒**CONSENT**☐**DISCUSSION****SUBJECT:**

Approval of issuance of a purchase order for four (4) 3/4 Ton 8600 lb. GVWR Utility Trucks under Bid Number 030238-DAR, Open End Contract for Utility Trucks and Cargo Vans - Department of Field Operations - Award to: DESERT DODGE (\$100,752 - Internal Service Fund)

**Fiscal Impact**☐**No Impact****Amount:** \$100,752☒**Budget Funds Available****Dept./Division:** Field Operations☐**Augmentation Required****Funding Source:** Internal Service Fund**PURPOSE/BACKGROUND:**

On April 16, 2003, City Council approved the award of an open end contract with Desert Dodge for the purchase of 3/4 Ton 8600 lb. utility trucks. This request will provide for the purchase of four (4) additional vehicles at the current production year price. These vehicles will replace vehicles that are beyond repair.

PCC: D. Rawski

POC: James Dunbar - (702) 221-0000

**RECOMMENDATION:**

That the City Council approve the issuance of a purchase order for four (4) 3/4 ton 8600 lb. Utility Vehicles under Bid Number 030238-DAR, Open End Contract for Utility Trucks and Cargo Vans to Desert Dodge in the amount of \$100,752.

**BACKUP DOCUMENTATION:**

None

**MOTION:**

**REESE – Motion to APPROVE Items 3-11, 13, 15-22, and 24-53, as recommended, and STRIKE Item 23 – UNANIMOUS with MACK abstaining on Item 49 because it directly affects the principals of Becker Gaming, a client of MK<sup>2</sup>, and Item 52 because it is related to a larger project with the possibility of impacting land owned by his brother, STEVEN MACK**

**Items 12 & 14: APPROVED under separate actions (see individual items)**

**MINUTES:**

There was no related discussion.

(9:32 – 9:35)

1-825

**AGENDA SUMMARY PAGE**  
**CITY COUNCIL MEETING OF: OCTOBER 1, 2003**

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**DEPARTMENT: FINANCE AND BUSINESS SERVICES****DIRECTOR: MARK R. VINCENT**☒**CONSENT**☐**DISCUSSION****SUBJECT:**

Approval of award of Contract No. 040078-LW, TRITECH Software Support and Maintenance - Department of Fire and Rescue - Award recommended to: TRITECH SOFTWARE SYSTEMS (Estimated annual amount of \$200,000 - Internal Service Fund)

**Fiscal Impact**☐**No Impact****Amount:** \$200,000☒**Budget Funds Available****Dept./Division:** Fire and Rescue☐**Augmentation Required****Funding Source:** Internal Service Fund**PURPOSE/BACKGROUND:**

This contract will provide for the purchase of TriTech software support and maintenance for emergency computer aided dispatch from November 1, 2003 through October 31, 2004 with annual renewals as long as the competitive bidding exception applies.

This requirement is exempt from competitive bidding pursuant to NRS 332.115.1(h), software for computers.

PCC: Ken Falline

POC: Michael Nabors - (858) 799-7000

**RECOMMENDATION:**

That City Council approve award of Contract No. 040078-LW in the annual amount of \$200,000 from 11/01/03 to 10/31/04 to TriTech Software Systems, with annual renewals as long as the competitive bidding exception applies. Authority to execute contract is given to Purchasing Manager per R-145-2001.

**BACKUP DOCUMENTATION:**

None

**MOTION:**

**REESE – Motion to APPROVE Items 3-11, 13, 15-22, and 24-53, as recommended, and STRIKE Item 23 – UNANIMOUS with MACK abstaining on Item 49 because it directly affects the principals of Becker Gaming, a client of MK<sup>2</sup>, and Item 52 because it is related to a larger project with the possibility of impacting land owned by his brother, STEVEN MACK**

**Items 12 & 14: APPROVED under separate actions (see individual items)**

**MINUTES:**

There was no related discussion.

(9:32 – 9:35)

1-825

**AGENDA SUMMARY PAGE**  
**CITY COUNCIL MEETING OF: OCTOBER 1, 2003**

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**DEPARTMENT: FIRE & RESCUE****DIRECTOR: DAVID L. WASHINGTON**☒**CONSENT**☐**DISCUSSION****SUBJECT:**

Approval of a federal grant from the Federal Emergency Management Agency (FEMA) in the amount of \$56,638.16 for the Community Emergency Response Teams (CERT), Train-the-Trainer Program - All Wards

**Fiscal Impact**☒**No Impact****Amount:** \$56,638.16☐**Budget Funds Available****Dept./Division:** Fire - Emergency Management☐**Augmentation Required****Funding Source:** Federal Grant**PURPOSE/BACKGROUND:**

Las Vegas Fire & Rescue has been awarded FEMA funding in the amount of \$56,638.16 for the CERT, Train-the-Trainer Program. To date, 286 individuals have been trained through 13 courses since training began in October 1999. CERT teams are activated in the community in the event of a major emergency. This federal grant is a 100% allocation with no matching funds required.

**RECOMMENDATION:**

Las Vegas Fire & Rescue recommends approval.

**BACKUP DOCUMENTATION:**

Interlocal Agreement

**MOTION:**

**REESE – Motion to APPROVE Items 3-11, 13, 15-22, and 24-53, as recommended, and STRIKE Item 23 – UNANIMOUS with MACK abstaining on Item 49 because it directly affects the principals of Becker Gaming, a client of MK<sup>2</sup>, and Item 52 because it is related to a larger project with the possibility of impacting land owned by his brother, STEVEN MACK**

**Items 12 & 14: APPROVED under separate actions (see individual items)**

**MINUTES:**

There was no related discussion.

(9:32 – 9:35)

1-825

**AGENDA SUMMARY PAGE**  
**CITY COUNCIL MEETING OF: OCTOBER 1, 2003**

---

**DEPARTMENT: FIRE & RESCUE**

**DIRECTOR: DAVID L. WASHINGTON**

☒

**CONSENT**

☐

**DISCUSSION**

**SUBJECT:**

Approval of a federal grant from the Federal Emergency Management Agency (FEMA) in the amount of \$10,890.12 for the Citizen Corps Council Program - All Wards

**Fiscal Impact**

☒

**No Impact**

**Amount:** \$10,890.12

☐

**Budget Funds Available**

**Dept./Division:** Fire - Emergency Management

☐

**Augmentation Required**

**Funding Source:** Federal Grant

**PURPOSE/BACKGROUND:**

Las Vegas Fire & Rescue has been awarded FEMA funding in the amount of \$10,890.12 for the Citizen Corps Council Program. This group operates as a subcommittee of the City's Management Committee for Emergency Operations, which reports to the City Manager and City Council. Their duties include, but are not limited to, risk and resource assessment, public education, and training opportunities for special needs populations. This federal grant is a 100% allocation with no matching funds required.

**RECOMMENDATION:**

Las Vegas Fire & Rescue recommends approval.

**BACKUP DOCUMENTATION:**

Interlocal Agreement

**MOTION:**

**REESE – Motion to APPROVE Items 3-11, 13, 15-22, and 24-53, as recommended, and STRIKE Item 23 – UNANIMOUS with MACK abstaining on Item 49 because it directly affects the principals of Becker Gaming, a client of MK<sup>2</sup>, and Item 52 because it is related to a larger project with the possibility of impacting land owned by his brother, STEVEN MACK**

**Items 12 & 14: APPROVED under separate actions (see individual items)**

**MINUTES:**

There was no related discussion.

(9:32 – 9:35)

1-825

**AGENDA SUMMARY PAGE**  
**CITY COUNCIL MEETING OF: OCTOBER 1, 2003**

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**DEPARTMENT: FIRE & RESCUE**

**DIRECTOR: DAVID L. WASHINGTON**

☒

**CONSENT**

☐

**DISCUSSION**

**SUBJECT:**

Approval of a federal grant from the Federal Emergency Management Agency (FEMA) in the amount of \$46,250 for the Emergency Operations Plan (EOP) Planning Program - All Wards

**Fiscal Impact**

☒

**No Impact**

**Amount:** \$46,250

☐

**Budget Funds Available**

**Dept./Division:** Fire - Emergency Management

☐

**Augmentation Required**

**Funding Source:** Federal Grant

**PURPOSE/BACKGROUND:**

Las Vegas Fire & Rescue has been awarded FEMA funding in the amount of \$46,250 for the EOP. The goals of this program are to develop a Water Treatment Contingency Plan, reproduce the City's revised EOP, provide Disaster Preparedness and Recovery Workshops, and send personnel to Operations Security Training in order to host Operations Security Training in Las Vegas. This federal grant is a 100% allocation with no matching funds required.

**RECOMMENDATION:**

Las Vegas Fire & Rescue recommends approval.

**BACKUP DOCUMENTATION:**

Interlocal Agreement

**MOTION:**

**REESE – Motion to APPROVE Items 3-11, 13, 15-22, and 24-53, as recommended, and STRIKE Item 23 – UNANIMOUS with MACK abstaining on Item 49 because it directly affects the principals of Becker Gaming, a client of MK<sup>2</sup>, and Item 52 because it is related to a larger project with the possibility of impacting land owned by his brother, STEVEN MACK**

**Items 12 & 14: APPROVED under separate actions (see individual items)**

**MINUTES:**

There was no related discussion.

(9:32 – 9:35)

1-825

**AGENDA SUMMARY PAGE**  
**CITY COUNCIL MEETING OF: OCTOBER 1, 2003**

**DEPARTMENT: FIRE & RESCUE**

**DIRECTOR: DAVID L. WASHINGTON**

☒

**CONSENT**

☐

**DISCUSSION**

**SUBJECT:**

Approval of a federal grant from the Department of Justice (DOJ) in the amount of \$587,584.35 for Bomb Squad operations - All Wards

**Fiscal Impact**

☒

**No Impact**

**Amount: \$587,584.35**

☐

**Budget Funds Available**

**Dept./Division: Fire - Fire Prev. Bomb Squad**

☐

**Augmentation Required**

**Funding Source: Federal Grant**

**PURPOSE/BACKGROUND:**

Las Vegas Fire & Rescue has been awarded DOJ funding in the amount of \$587,584.35 for the purchase of a Watersabre System and a response vehicle for the Bomb Squad function. Both purchases will greatly enhance the Bomb Squad operations. This federal grant is a 100% allocation with no matching funds required.

**RECOMMENDATION:**

Las Vegas Fire & Rescue recommends approval.

**BACKUP DOCUMENTATION:**

Interlocal Agreement

**MOTION:**

**REESE – Motion to APPROVE Items 3-11, 13, 15-22, and 24-53, as recommended, and STRIKE Item 23 – UNANIMOUS with MACK abstaining on Item 49 because it directly affects the principals of Becker Gaming, a client of MK<sup>2</sup>, and Item 52 because it is related to a larger project with the possibility of impacting land owned by his brother, STEVEN MACK**

**Items 12 & 14: APPROVED under separate actions (see individual items)**

**MINUTES:**

There was no related discussion.

(9:32 – 9:35)

1-825



**AGENDA SUMMARY PAGE**  
**CITY COUNCIL MEETING OF: OCTOBER 1, 2003**

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**DEPARTMENT: FIRE & RESCUE****DIRECTOR: DAVID L. WASHINGTON**☒**CONSENT**☐**DISCUSSION****SUBJECT:**

Approval of a contract modification between the U.S. Public Health Service, Department of Health and Human Services and the City of Las Vegas for the development of a Metropolitan Medical Response System (MMRS) to provide local relief in the event of nuclear, biological or chemical terrorist incidents (\$280,000 - federal grant) -All Wards

**Fiscal Impact**☒**No Impact****Amount:** \$280,000☐**Budget Funds Available****Dept./Division:** Fire - Operations☐**Augmentation Required****Funding Source:** Federal Grant**PURPOSE/BACKGROUND:**

The original Council approval for the MMRS grant was passed on September 6, 2000. This contract modification includes an increase of \$280,000 (no matching funds required by the City) to provide pharmaceutical replacements, purchasing of specialized supplies, planning, training, and reporting. The period of performance and statement of work are unchanged by reason of this modification.

**RECOMMENDATION:**

Las Vegas Fire & Rescue recommends approval.

**BACKUP DOCUMENTATION:**

Amendment of Solicitation/Modification of Contract

**MOTION:**

**REESE – Motion to APPROVE Items 3-11, 13, 15-22, and 24-53, as recommended, and STRIKE Item 23 – UNANIMOUS with MACK abstaining on Item 49 because it directly affects the principals of Becker Gaming, a client of MK<sup>2</sup>, and Item 52 because it is related to a larger project with the possibility of impacting land owned by his brother, STEVEN MACK**

**Items 12 & 14: APPROVED under separate actions (see individual items)**

**MINUTES:**

There was no related discussion.

(9:32 – 9:35)

1-825

**AGENDA SUMMARY PAGE**  
**CITY COUNCIL MEETING OF: OCTOBER 1, 2003**

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**DEPARTMENT: PLANNING AND DEVELOPMENT****DIRECTOR: ROBERT S. GENZER**☒**CONSENT**☐**DISCUSSION****SUBJECT:**

Approval to begin contract negotiations with an alternative consultant (Poggemeyer Design Group) in regard to the Northwest Regional Open Space Plan - Wards 4 and 6 (Brown and Mack)

**Fiscal Impact**☒**No Impact****Amount:**☐**Budget Funds Available****Dept./Division:**☐**Augmentation Required****Funding Source:****PURPOSE/BACKGROUND:**

On May 7, 2003, the City Council approved the negotiation and execution of a contract with the consulting firm of Wenk Associates to provide professional services for the Northwest Regional Open Space Plan, not to exceed \$250,000. At this time, staff is recommending that an alternative consultant be considered.

Poggemeyer Design Group was ranked second highest and received excellent ratings in our selection process. There is also a history of successful negotiations and good working relationships with them. The fact that this firm has local representation will also be beneficial to the process.

**RECOMMENDATION:**

Approval

**BACKUP DOCUMENTATION:**

Agenda Memo

**MOTION:**

**REESE – Motion to APPROVE Items 3-11, 13, 15-22, and 24-53, as recommended, and STRIKE Item 23 – UNANIMOUS with MACK abstaining on Item 49 because it directly affects the principals of Becker Gaming, a client of MK<sup>2</sup>, and Item 52 because it is related to a larger project with the possibility of impacting land owned by his brother, STEVEN MACK**

**Items 12 & 14: APPROVED under separate actions (see individual items)**

**MINUTES:**

There was no related discussion.

(9:32 – 9:35)

1-825

**AGENDA SUMMARY PAGE**  
**CITY COUNCIL MEETING OF: OCTOBER 1, 2003**

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**DEPARTMENT: PUBLIC WORKS**

**DIRECTOR: RICHARD D. GOECKE**

☒

**CONSENT**

☐

**DISCUSSION**

**SUBJECT:**

Approval of a Declaration of Utilization from the Bureau of Land Management for a portion of the Southwest Quarter of Section 12, Township 20 South, Range 59 East, Mount Diablo Meridian, for drainage purposes located along the Gowan Road alignment, west of the Beltway alignment, APN 137-12-301-007 – Ward 4 (Brown)

**Fiscal Impact**

☒

**No Impact**

**Amount:**

☐

**Budget Funds Available**

**Dept./Division:** Public Works/City Engineer

☐

**Augmentation Required**

**Funding Source:**

**PURPOSE/BACKGROUND:**

**RECOMMENDATION:**

Approval

**BACKUP DOCUMENTATION:**

None

**MOTION:**

**REESE – Motion to APPROVE Items 3-11, 13, 15-22, and 24-53, as recommended, and STRIKE Item 23 – UNANIMOUS with MACK abstaining on Item 49 because it directly affects the principals of Becker Gaming, a client of MK<sup>2</sup>, and Item 52 because it is related to a larger project with the possibility of impacting land owned by his brother, STEVEN MACK**

**Items 12 & 14: APPROVED under separate actions (see individual items)**

**MINUTES:**

There was no related discussion.

(9:32 – 9:35)

1-825

**AGENDA SUMMARY PAGE**  
**CITY COUNCIL MEETING OF: OCTOBER 1, 2003**

---

**DEPARTMENT: PUBLIC WORKS**

**DIRECTOR: RICHARD D. GOECKE**

☒

**CONSENT**

☐

**DISCUSSION**

**SUBJECT:**

Approval of a Declaration of Utilization from the Bureau of Land Management for a portion of the North Half of Section 18, Township 19 South, Range 60 East, Mount Diablo Meridian, for roadway, sanitary sewer and drainage purposes located on the north side of the Farm Road alignment, between the Hualapai Way alignment and the Fort Apache Road alignment, APNs 125-18-201-007, -008, -009 and 125-18-601-006 – Ward 6 (Mack) and County

**Fiscal Impact**

☒

**No Impact**

**Amount:**

☐

**Budget Funds Available**

**Dept./Division:** Pubic Works/City Engineer

☐

**Augmentation Required**

**Funding Source:**

**PURPOSE/BACKGROUND:**

**RECOMMENDATION:**

Approval

**BACKUP DOCUMENTATION:**

None

**MOTION:**

**REESE – Motion to APPROVE Items 3-11, 13, 15-22, and 24-53, as recommended, and STRIKE Item 23 – UNANIMOUS with MACK abstaining on Item 49 because it directly affects the principals of Becker Gaming, a client of MK<sup>2</sup>, and Item 52 because it is related to a larger project with the possibility of impacting land owned by his brother, STEVEN MACK**

**Items 12 & 14: APPROVED under separate actions (see individual items)**

**MINUTES:**

There was no related discussion.

(9:32 – 9:35)

1-825

**AGENDA SUMMARY PAGE**  
**CITY COUNCIL MEETING OF: OCTOBER 1, 2003**

**DEPARTMENT: PUBLIC WORKS**

**DIRECTOR: RICHARD D. GOECKE**

☒

**CONSENT**

☐

**DISCUSSION**

**SUBJECT:**

Approval of Interlocal Contract #441 between the City of Las Vegas, City of North Las Vegas, Clark County and the Regional Transportation Commission of Southern Nevada for the Arterial Incident and Event Management System (\$384,000 - Regional Transportation Commission of Southern Nevada) - All Wards

**Fiscal Impact**

☐

**No Impact**

**Amount: \$384,000**

☒

**Budget Funds Available**

**Dept./Division: Public Works/City Engineer**

☐

**Augmentation Required**

**Funding Source: Regional Transportation Commission**

**PURPOSE/BACKGROUND:**

Interlocal Contract #441 will combine the Freeway and Arterial System (FAST), Advance Traveler Information System (ATIS) and historical records maintained in FAST Archived Data User System (ADUS). These systems will aid regional traffic operations through improved event management, improved traffic control and congestion relief through incident detection and verification while improving safety and mobility of travelers throughout the metropolitan area. The RTC Board approved this contract at their July 10, 2003 meeting. Total cost of this project shall not exceed \$384,000.

**RECOMMENDATION:**

Approval

**BACKUP DOCUMENTATION:**

Interlocal Contract #441

**MOTION:**

**REESE – Motion to APPROVE Items 3-11, 13, 15-22, and 24-53, as recommended, and STRIKE Item 23 – UNANIMOUS with MACK abstaining on Item 49 because it directly affects the principals of Becker Gaming, a client of MK<sup>2</sup>, and Item 52 because it is related to a larger project with the possibility of impacting land owned by his brother, STEVEN MACK**

**Items 12 & 14: APPROVED under separate actions (see individual items)**

**MINUTES:**

There was no related discussion.

(9:32 – 9:35)

1-825

**AGENDA SUMMARY PAGE**  
**CITY COUNCIL MEETING OF: OCTOBER 1, 2003**

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**DEPARTMENT: PUBLIC WORKS****DIRECTOR: RICHARD D. GOECKE**☒**CONSENT**☐**DISCUSSION****SUBJECT:**

Approval of Supplemental Interlocal Contract #389a between the City of Las Vegas, Clark County and the Regional Transportation Commission of Southern Nevada, for construction engineering and construction management of Jones Boulevard, Beltway to Elkhorn Road, located partially within the City and partially within the County (\$3,450,430 - Regional Transportation Commission of Southern Nevada) - Ward 6 (Mack) and County

**Fiscal Impact**☐**No Impact****Amount:** \$3,450,430☒**Budget Funds Available****Dept./Division:** Public Works/City Engineer☐**Augmentation Required****Funding Source:** Regional Transportation Commission**PURPOSE/BACKGROUND:**

Supplemental Interlocal Contract #389a between the City of Las Vegas, Clark County and the Regional Transportation Commission of Southern Nevada (RTC) will encumber funds for construction engineering and construction management for Jones Boulevard, Beltway to Elkhorn Road. The RTC Board approved this contract at their August 14, 2003 meeting. Total cost of this project shall not exceed \$4,391,000.

**RECOMMENDATION:**

Approval

**BACKUP DOCUMENTATION:**

Supplemental Interlocal Contract #389a

**MOTION:**

**REESE – Motion to APPROVE Items 3-11, 13, 15-22, and 24-53, as recommended, and STRIKE Item 23 – UNANIMOUS with MACK abstaining on Item 49 because it directly affects the principals of Becker Gaming, a client of MK<sup>2</sup>, and Item 52 because it is related to a larger project with the possibility of impacting land owned by his brother, STEVEN MACK**

**Items 12 & 14: APPROVED under separate actions (see individual items)**

**MINUTES:**

There was no related discussion.

(9:32 – 9:35)

1-825

**AGENDA SUMMARY PAGE**  
**CITY COUNCIL MEETING OF: OCTOBER 1, 2003**

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**DEPARTMENT: PUBLIC WORKS**

**DIRECTOR: RICHARD D. GOECKE**

☒

**CONSENT**

☐

**DISCUSSION**

**SUBJECT:**

Approval of Amendments to the Uniform Regulations for the Control of Drainage adopted by the Regional Flood Control District at their July 10, 2003 Board meeting - All Wards

**Fiscal Impact**

☒

**No Impact**

**Amount:**

☐

**Budget Funds Available**

**Dept./Division:** Public Works/City Engineer

☐

**Augmentation Required**

**Funding Source:**

**PURPOSE/BACKGROUND:**

Sections 8 and 10 of the Uniform Regulations for the Control of Drainage are being revised. These revisions will allow greater flexibility in compliance with the minimum requirements of the National Flood Insurance Program regulations. The affected portions of the Regulations are included in the backup. These changes were adopted by the Regional Flood Control District Board at their July 10, 2003 meeting.

**RECOMMENDATION:**

Approval

**BACKUP DOCUMENTATION:**

Informational copy of changes to the Uniform Regulations for the Control of Drainage

**MOTION:**

**REESE – Motion to APPROVE Items 3-11, 13, 15-22, and 24-53, as recommended, and STRIKE Item 23 – UNANIMOUS with MACK abstaining on Item 49 because it directly affects the principals of Becker Gaming, a client of MK<sup>2</sup>, and Item 52 because it is related to a larger project with the possibility of impacting land owned by his brother, STEVEN MACK**

**Items 12 & 14: APPROVED under separate actions (see individual items)**

**MINUTES:**

There was no related discussion.

(9:32 – 9:35)

1-825

**AGENDA SUMMARY PAGE**  
**CITY COUNCIL MEETING OF: OCTOBER 1, 2003**

**DEPARTMENT: PUBLIC WORKS**

**DIRECTOR: RICHARD D. GOECKE**

☒

**CONSENT**

☐

**DISCUSSION**

**SUBJECT:**

Approval of an Encroachment Request from Bossard Developer Services on behalf of Montecito Town Center, LLC, owner (area bound by Grand Montecito Parkway, Darling Road, Riley Street, and Deer Springs Way) - Ward 6 (Mack)

**Fiscal Impact**

☒

**No Impact**

**Amount:**

☐

**Budget Funds Available**

**Dept./Division:** Public Works/City Engineer

☐

**Augmentation Required**

**Funding Source:**

**PURPOSE/BACKGROUND:**

The proposed encroachment will consist of landscaping of Rome Boulevard, Darling Road, and Riley Street and landscaping of Grand Montecito Parkway including all medians between Darling Road and Deer Springs Way which will meet Town Center Landscaping Requirements for the proposed Montecito Town Center South development. If approved, the applicant will be required to sign an Encroachment Agreement which has conditions of maintenance, liability, and removal.

**RECOMMENDATION:**

Approval

**BACKUP DOCUMENTATION:**

Agenda Memo

**MOTION:**

**REESE – Motion to APPROVE Items 3-11, 13, 15-22, and 24-53, as recommended, and STRIKE Item 23 – UNANIMOUS with MACK abstaining on Item 49 because it directly affects the principals of Becker Gaming, a client of MK<sup>2</sup>, and Item 52 because it is related to a larger project with the possibility of impacting land owned by his brother, STEVEN MACK**

**Items 12 & 14: APPROVED under separate actions (see individual items)**

**MINUTES:**

There was no related discussion.

(9:32 – 9:35)

1-825



**AGENDA SUMMARY PAGE**  
**CITY COUNCIL MEETING OF: OCTOBER 1, 2003**

**DEPARTMENT: PUBLIC WORKS**

**DIRECTOR: RICHARD D. GOECKE**

☒

**CONSENT**

☐

**DISCUSSION**

**SUBJECT:**

Approval of an Encroachment Request from VTN Nevada, Incorporated, on behalf of Gilcrease Properties, LLC, owner (southeast corner of Grand Teton Drive and Grand Canyon Drive) - Ward 6 (Mack)

**Fiscal Impact**

☒

**No Impact**

**Amount:**

☐

**Budget Funds Available**

**Dept./Division:** Public Works/City Engineer

☐

**Augmentation Required**

**Funding Source:**

**PURPOSE/BACKGROUND:**

The proposed encroachment consists of an approximate 5' wide area of landscaping on the south side of Grand Teton Drive extending approximately 670' eastward from Grand Canyon Drive consisting of trees, shrubs, ground cover, and an irrigation system for the proposed Cascade II subdivision. If approved, the applicant will be required to sign an Encroachment Agreement which has conditions of maintenance, liability, and removal.

**RECOMMENDATION:**

Approval

**BACKUP DOCUMENTATION:**

1. Copy of Encroachment Exhibit "A" (southeast corner of Grand Teton Drive and Grand Canyon Drive)
2. Copy of Encroachment Exhibit "B" (Grand Teton Drive typical section and vicinity map)

**MOTION:**

**REESE – Motion to APPROVE Items 3-11, 13, 15-22, and 24-53, as recommended, and STRIKE Item 23 – UNANIMOUS with MACK abstaining on Item 49 because it directly affects the principals of Becker Gaming, a client of MK<sup>2</sup>, and Item 52 because it is related to a larger project with the possibility of impacting land owned by his brother, STEVEN MACK**

**Items 12 & 14: APPROVED under separate actions (see individual items)**

**MINUTES:**

There was no related discussion.

(9:32 – 9:35)

1-825

**AGENDA SUMMARY PAGE**  
**CITY COUNCIL MEETING OF: OCTOBER 1, 2003**

**DEPARTMENT: PUBLIC WORKS**

**DIRECTOR: RICHARD D. GOECKE**

☒

**CONSENT**

☐

**DISCUSSION**

**SUBJECT:**

Approval of an Encroachment Request from Bossard Developer Services on behalf of Montecito Town Center, LLC, owner (Grand Montecito Parkway between Riley Street and Elkhorn Road and Deer Springs Way between Durango Drive and Riley Street) - Ward 6 (Mack)

**Fiscal Impact**

☒

**No Impact**

**Amount:**

☐

**Budget Funds Available**

**Dept./Division:** Public Works/City Engineer

☐

**Augmentation Required**

**Funding Source:**

**PURPOSE/BACKGROUND:**

The proposed encroachment will consist of landscaping along the north side of Deer Springs Way between Durango Drive and Riley Street and on the medians and west and east sides of Grand Montecito Parkway between Riley Street and Elkhorn Road consisting of trees, shrubs, ground cover, and an irrigation system to meet Town Center Landscaping Requirements for the proposed Montecito Town Center North development. If approved, the applicant will be required to sign an Encroachment Agreement which has conditions of maintenance, liability, and removal.

**RECOMMENDATION:**

Approval

**BACKUP DOCUMENTATION:**

1. Copy of Encroachment Exhibit "A" (Deer Springs Way east of Durango Drive)
2. Copy of Encroachment Exhibit "B" (Deer Springs Way)
3. Copy of Encroachment Exhibit "C" (Deer Springs Way at Riley Street)
4. Copy of Encroachment Exhibit "D" (Grand Montecito Parkway west of Riley Street)
5. Copy of Encroachment Exhibit "E" (Grand Montecito Parkway south of Elkhorn Road)

**MOTION:**

**REESE – Motion to APPROVE Items 3-11, 13, 15-22, and 24-53, as recommended, and STRIKE Item 23 – UNANIMOUS with MACK abstaining on Item 49 because it directly affects the principals of Becker Gaming, a client of MK<sup>2</sup>, and Item 52 because it is related to a larger project with the possibility of impacting land owned by his brother, STEVEN MACK**

**Items 12 & 14: APPROVED under separate actions (see individual items)**

**MINUTES:**

There was no related discussion.

(9:32 – 9:35)

1-825

**AGENDA SUMMARY PAGE**  
**CITY COUNCIL MEETING OF: OCTOBER 1, 2003**

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**DEPARTMENT: PUBLIC WORKS****DIRECTOR: RICHARD D. GOECKE**☒**CONSENT**☐**DISCUSSION****SUBJECT:**

Approval of a Professional Services Agreement with Stantec Consulting Inc. for the design services of Mountain Ridge Park Phase IV located at Oso Blanca Road and Durango Drive (\$133,000 - Parks Capital Improvement Project Fund) - Ward 6 (Mack)

**Fiscal Impact**☐**No Impact****Amount:** \$133,000☒**Budget Funds Available****Dept./Division:** Public Works/Eng. Integration☐**Augmentation Required****Funding Source:** Parks Capital Improvement Project Fund**PURPOSE/BACKGROUND:**

The City of Las Vegas desires to construct Phase IV of Mountain Ridge Park on approximately seven acres adjacent to the existing park. These new improvements will provide additional parking and landscaping along the north, south and west property lines.

Stantec Consulting Inc. is a local landscape architectural and engineering firm. They, along with their subconsultants bring many years of experience to the project. They will provide the design services required for the project.

**RECOMMENDATION:**

That the City Council approve the negotiated Professional Services Agreement with Stantec Consulting Inc. for the design services of Mountain Ridge Park Phase IV in the amount of \$118,000 and approve an Additional Services contingency reserve of \$15,000.

**BACKUP DOCUMENTATION:**

Professional Services Agreement

**MOTION:**

**REESE – Motion to APPROVE Items 3-11, 13, 15-22, and 24-53, as recommended, and STRIKE Item 23 – UNANIMOUS with MACK abstaining on Item 49 because it directly affects the principals of Becker Gaming, a client of MK<sup>2</sup>, and Item 52 because it is related to a larger project with the possibility of impacting land owned by his brother, STEVEN MACK**

**Items 12 & 14: APPROVED under separate actions (see individual items)**

**MINUTES:**

There was no related discussion.

(9:32 – 9:35)

1-825

**AGENDA SUMMARY PAGE**  
**CITY COUNCIL MEETING OF: OCTOBER 1, 2003**

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**DEPARTMENT: PUBLIC WORKS**

**DIRECTOR: RICHARD D. GOECKE**

☒

**CONSENT**

☐

**DISCUSSION**

**SUBJECT:**

Approval of a Designated Services Agreement with The APQC Consulting Group for performance and productivity services to study and report on the Office of Architectural Services (\$150,000 - General Fund) - All Wards

**Fiscal Impact**

☐

**No Impact**

**Amount:** \$150,000

☒

**Budget Funds Available**

**Dept./Division:** Public Works/Eng. Integration

☐

**Augmentation Required**

**Funding Source:** General Fund

**PURPOSE/BACKGROUND:**

**RECOMMENDATION:**

That the City Council approve the negotiated Designated Services Agreement with The APQC Consulting Group for performance and productivity services to study and report on the Office of Architectural Services in the amount not to exceed \$150,000.

**BACKUP DOCUMENTATION:**

Designated Services Agreement

**MOTION:**

**REESE – Motion to APPROVE Items 3-11, 13, 15-22, and 24-53, as recommended, and STRIKE Item 23 – UNANIMOUS with MACK abstaining on Item 49 because it directly affects the principals of Becker Gaming, a client of MK<sup>2</sup>, and Item 52 because it is related to a larger project with the possibility of impacting land owned by his brother, STEVEN MACK**

**Items 12 & 14: APPROVED under separate actions (see individual items)**

**MINUTES:**

There was no related discussion.

(9:32 – 9:35)

1-825

**AGENDA SUMMARY PAGE**  
**CITY COUNCIL MEETING OF: OCTOBER 1, 2003**

**DEPARTMENT: PUBLIC WORKS**

**DIRECTOR: RICHARD D. GOECKE**

☒

**CONSENT**

☐

**DISCUSSION**

**SUBJECT:**

Approval of a Professional Services Agreement with The WLB Group Inc. for Landscape Design Services of the Firefighters Memorial Park Phase II located near the southeast corner of Redwood Street and Oakey Boulevard (\$35,800 - Parks Capital Projects Fund) - Ward 1 (Moncrief)

**Fiscal Impact**

☐

**No Impact**

**Amount:** \$35,800

☒

**Budget Funds Available**

**Dept./Division:** Public Works/Eng. Integration

☐

**Augmentation Required**

**Funding Source:** Parks Capital Projects Fund

**PURPOSE/BACKGROUND:**

The City of Las Vegas desires to enhance the park setting by the addition of several gazebos, additional trees and scrubs, additional security lights, and rubber surfacing at the playground.

**RECOMMENDATION:**

That the City Council approve the negotiated Professional Services Agreement with The WLB Group Inc. for Design Services of The Firefighters Memorial Park Phase II in the amount of \$35,800 and approve an Additional Services contingency reserve of \$5,000.

**BACKUP DOCUMENTATION:**

Professional Services Agreement

**MOTION:**

**REESE – Motion to APPROVE Items 3-11, 13, 15-22, and 24-53, as recommended, and STRIKE Item 23 – UNANIMOUS with MACK abstaining on Item 49 because it directly affects the principals of Becker Gaming, a client of MK<sup>2</sup>, and Item 52 because it is related to a larger project with the possibility of impacting land owned by his brother, STEVEN MACK**

**Items 12 & 14: APPROVED under separate actions (see individual items)**

**MINUTES:**

There was no related discussion.

(9:32 – 9:35)

1-825

**AGENDA SUMMARY PAGE**  
**CITY COUNCIL MEETING OF: OCTOBER 1, 2003**

**DEPARTMENT: PUBLIC WORKS**

**DIRECTOR: RICHARD D. GOECKE**

☒

**CONSENT**

☐

**DISCUSSION**

**SUBJECT:**

Approval of a Professional Services Agreement with Aztec Engineering of Nevada, LLC for the design services of Fire Station #8 located at Mojave Road and Harris Avenue (\$119,995 - Capital Projects Fund and Fire Protection Bond) - Ward 3 (Reese)

**Fiscal Impact**

☐

**No Impact**

**Amount:** \$119,995

☒

**Budget Funds Available**

**Dept./Division:** Public Works/Eng. Integration

☐

**Augmentation Required**

**Funding Source:** Capital Projects Fund and Fire Protection Bond

**PURPOSE/BACKGROUND:**

To replace the existing Fire Station #8 at the Fire Training Center with a new full service prototype fire station.

**RECOMMENDATION:**

That the City Council approve the negotiated Professional Service Agreement with Aztec Engineering of Nevada, LLC for the design services of Civil, Survey, Mechanical, Electrical, and Plumbing engineering in the amount of \$119,995 and approve an additional services contingency reserve of \$21,000.

**BACKUP DOCUMENTATION:**

Professional Services Agreement

**MOTION:**

**REESE – Motion to APPROVE Items 3-11, 13, 15-22, and 24-53, as recommended, and STRIKE Item 23 – UNANIMOUS with MACK abstaining on Item 49 because it directly affects the principals of Becker Gaming, a client of MK<sup>2</sup>, and Item 52 because it is related to a larger project with the possibility of impacting land owned by his brother, STEVEN MACK**

**Items 12 & 14: APPROVED under separate actions (see individual items)**

**MINUTES:**

There was no related discussion.

(9:32 – 9:35)

1-825

**AGENDA SUMMARY PAGE**  
**CITY COUNCIL MEETING OF: OCTOBER 1, 2003**

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**DEPARTMENT: PUBLIC WORKS****DIRECTOR: RICHARD D. GOECKE**☒**CONSENT**☐**DISCUSSION****SUBJECT:**

Approval of an Interlocal Agreement with Clark County for Special Improvement District No. 1503 - Durango Drive Phase IV (Tropical Parkway to Clark County Highway 215) - Ward 6 (Mack)

**Fiscal Impact**☒**No Impact****Amount:**☐**Budget Funds Available****Dept./Division:** Public Works/SID☐**Augmentation Required****Funding Source:****PURPOSE/BACKGROUND:**

This Interlocal Agreement between the City of Las Vegas and Clark County allows the City to include one parcel (APN 125-29-103-002) which lies within the boundaries of the County in Special Improvement District No. 1503. The SID will include installation of pavement, curb, gutter, sidewalk, streetlights, sewer mains and laterals, and water mains and laterals.

**RECOMMENDATION:**

It is recommended that the City Council approve this Agreement

**BACKUP DOCUMENTATION:**

Interlocal Agreement

**MOTION:**

**REESE – Motion to APPROVE Items 3-11, 13, 15-22, and 24-53, as recommended, and STRIKE Item 23 – UNANIMOUS with MACK abstaining on Item 49 because it directly affects the principals of Becker Gaming, a client of MK<sup>2</sup>, and Item 52 because it is related to a larger project with the possibility of impacting land owned by his brother, STEVEN MACK**

NOTE: COUNCILMAN MACK disclosed that the locations involved in Items 15, 19, and 23 are near SuperPawn shops, with which he is affiliated and are owned by his brother, STEVEN MACK. Moreover, Item 19 is near the offices of Becker Gaming, a client of MK<sup>2</sup>, with which he is affiliated. The principal parties of Becker Gaming are also owners of land near the location in Item 46, but are not directly involved in this proposal. Since neither his brother or representatives of Becker Gaming have approached him on any of these items and he does not believe their interests would be affected, he would be voting on the aforementioned items. Furthermore, COUNCILMAN MACK noted that he previously abstained on items related to Poggemeyer Design Group, but that that contract with MK<sup>2</sup> was completed in July 2003 and he is now free to vote on actions related to their business.

**MINUTES:**

There was no further discussion.

(9:32 – 9:35)

1-825

**AGENDA SUMMARY PAGE**  
**CITY COUNCIL MEETING OF: OCTOBER 1, 2003**

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**DEPARTMENT: PUBLIC WORKS**

**DIRECTOR: RICHARD D. GOECKE**

☒

**CONSENT**

☐

**DISCUSSION**

**SUBJECT:**

Approval of an Engineering Design Services Agreement with Brown and Caldwell Environmental Engineers & Consultants for design of the Bonanza, Pecos and Stewart Sewer Rehabilitation Project (\$282,163 - City of Las Vegas Sanitation Funds) - Ward 3 (Reese)

**Fiscal Impact**

☐

**No Impact**

**Amount:** \$282,163

☒

**Budget Funds Available**

**Dept./Division:** Public Works/City Engineer

☐

**Augmentation Required**

**Funding Source:** City of Las Vegas Sanitation Fund

**PURPOSE/BACKGROUND:**

The agreement is to procure engineering design services from Brown and Caldwell Environmental Engineers & Consultants for rehabilitation of approximately 11,000 linear feet of existing sewer lines on Bonanza Road, Pecos Road and Stewart Avenue generally east of Eastern Avenue, south of Washington Avenue west on Sandhill Road and north of Charleston Boulevard.

**RECOMMENDATION:**

Approval

**BACKUP DOCUMENTATION:**

Engineering Design Services Agreement

**MOTION:**

**REESE – Motion to APPROVE Items 3-11, 13, 15-22, and 24-53, as recommended, and STRIKE Item 23 – UNANIMOUS with MACK abstaining on Item 49 because it directly affects the principals of Becker Gaming, a client of MK<sup>2</sup>, and Item 52 because it is related to a larger project with the possibility of impacting land owned by his brother, STEVEN MACK**

**Items 12 & 14: APPROVED under separate actions (see individual items)**

**MINUTES:**

There was no related discussion.

(9:32 – 9:35)

1-825



**AGENDA SUMMARY PAGE**  
**CITY COUNCIL MEETING OF: OCTOBER 1, 2003**

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**DEPARTMENT: FINANCE AND BUSINESS SERVICES**

**DIRECTOR: MARK R. VINCENT**

☒

**CONSENT**

☐

**DISCUSSION**

**SUBJECT:**

**RESOLUTIONS:**

**R-135-2003** - Approval of a resolution directing the City Treasurer to give notice of the sale of properties subject to the lien of a delinquent assessment District 505 and in certain other districts; and providing other matters properly relating thereto. District 505 is in Ward 6 (Mack) and the other districts are in various wards

**Fiscal Impact**

☒

**No Impact**

**Amount:**

☐

**Budget Funds Available**

**Dept./Division:**

☐

**Augmentation Required**

**Funding Source:**

**PURPOSE/BACKGROUND:**

NRS 271.545 states that when an assessment or installment becomes delinquent, the City shall direct the City Treasurer to give notice of the sale of the property or properties subject to the lien of a delinquent installment or the entire assessment if the governing body has exercised its option to cause the whole amount of the unpaid principal to become due and payable.

**RECOMMENDATION:**

It is recommended that the City Council adopt this resolution.

**BACKUP DOCUMENTATION:**

Resolution No. R-135-2003

**MOTION:**

**REESE – Motion to APPROVE Items 3-11, 13, 15-22, and 24-53, as recommended, and STRIKE Item 23 – UNANIMOUS with MACK abstaining on Item 49 because it directly affects the principals of Becker Gaming, a client of MK<sup>2</sup>, and Item 52 because it is related to a larger project with the possibility of impacting land owned by his brother, STEVEN MACK**

**Items 12 & 14: APPROVED under separate actions (see individual items)**

**MINUTES:**

There was no related discussion.

(9:32 – 9:35)

1-825

**AGENDA SUMMARY PAGE**  
**CITY COUNCIL MEETING OF: OCTOBER 1, 2003**

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**DEPARTMENT: CITY ATTORNEY**

**DIRECTOR: BRADFORD R. JERBIC**

☒

**CONSENT**

☐

**DISCUSSION**

**SUBJECT:**

**RESOLUTIONS:**

**R-136-2003** - Approval of a Resolution directing the City Engineer to prepare preliminary plans regarding: Special Improvement District No. 1503 - Durango Drive Phase IV (Tropical Parkway to Clark County Highway 215) (Capital Projects Fund - Special Assessments) - Ward 6 (Mack)

**Fiscal Impact**

☒

**No Impact**

**Amount:**

☐

**Budget Funds Available**

**Dept./Division:**

☐

**Augmentation Required**

**Funding Source:**

**PURPOSE/BACKGROUND:**

Installation of pavement, curb, gutter, sidewalk, streetlights, water laterals, water mains, sewer laterals, and sewer main.

**RECOMMENDATION:**

It is recommended that the City Council adopt this Resolution

**BACKUP DOCUMENTATION:**

Resolution No. R-136-2003

**MOTION:**

**REESE** – Motion to **APPROVE** Items 3-11, 13, 15-22, and 24-53, as recommended, and **STRIKE** Item 23 – **UNANIMOUS** with **MACK** abstaining on Item 49 because it directly affects the principals of Becker Gaming, a client of MK<sup>2</sup>, and Item 52 because it is related to a larger project with the possibility of impacting land owned by his brother, **STEVEN MACK**

**Items 12 & 14:**        **APPROVED** under separate actions (see individual items)

**MINUTES:**

There was no related discussion.

(9:32 – 9:35)

1-825

**AGENDA SUMMARY PAGE**  
**CITY COUNCIL MEETING OF: OCTOBER 1, 2003**

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**DEPARTMENT: PUBLIC WORKS****DIRECTOR: RICHARD D. GOECKE**☒**CONSENT**☐**DISCUSSION****SUBJECT:**

REPORT FROM REAL ESTATE COMMITTEE - Councilman Weekly and Councilwoman Moncrief

Approval of a Bill of Sale from the City of Las Vegas to the Las Vegas Valley Water District for the purpose of providing water services to Fire Station #43, located at 6420 Smoke Ranch Road - Ward 6 (Mack)

**Fiscal Impact**☒**No Impact****Amount:**☐**Budget Funds Available****Dept./Division:**☐**Augmentation Required****Funding Source:****PURPOSE/BACKGROUND:**

The Las Vegas Valley Water District inspected the water distribution facilities located at 6420 Smoke Ranch Road, which are to be owned, operated and maintained by the Las Vegas Valley Water District. The inspection determined that said facilities have been installed in accordance with the Water District standards and specifications. Therefore, the water facilities constructed for the City have been accepted by the Water District as being satisfactorily completed on 8/18/03 and the City now turns the property over to the Water District.

**RECOMMENDATION:**

The 9/29/2003 Real Estate Committee and staff recommend approval

**BACKUP DOCUMENTATION:**

1. Bill of Sale
2. LVVWD 8/25/03 Letter

**MOTION:**

**REESE – Motion to APPROVE Items 3-11, 13, 15-22, and 24-53, as recommended, and STRIKE Item 23 – UNANIMOUS with MACK abstaining on Item 49 because it directly affects the principals of Becker Gaming, a client of MK<sup>2</sup>, and Item 52 because it is related to a larger project with the possibility of impacting land owned by his brother, STEVEN MACK**

**Items 12 & 14: APPROVED under separate actions (see individual items)**

**MINUTES:**

COUNCILMAN WEEKLY reported that the Real Estate Committee reviewed all the Real Estate items on the Consent Agenda and joins with the recommendation of staff that each item be approved by the City Council.

There was no further discussion.

(9:32 – 9:35)

1-825

**AGENDA SUMMARY PAGE**  
**CITY COUNCIL MEETING OF: OCTOBER 1, 2003**

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**DEPARTMENT: PUBLIC WORKS****DIRECTOR: RICHARD D. GOECKE**☒**CONSENT**☐**DISCUSSION****SUBJECT:**

REPORT FROM REAL ESTATE COMMITTEE - Councilman Weekly and Councilwoman Moncrief

Approval of a Summerlin West Fire Station Site Dedication and Development Agreement between the City of Las Vegas and the Howard Hughes Corporation for certain land within the Summerlin Western Planning Area - Wards 2 and 4 (L.B. McDonald and Brown)

**Fiscal Impact**☒**No Impact****Amount:**☐**Budget Funds Available****Dept./Division:**☐**Augmentation Required****Funding Source:****PURPOSE/BACKGROUND:**

The Howard Hughes Corporation is the owner and master developer of certain land within Summerlin West, which lies within the corporate boundaries of the City of Las Vegas and is part of the Summerlin master planned community. In conjunction with the City, The Howard Hughes Corporation shall determine and dedicate certain land to the City for fire stations. Howard Hughes Corporation shall consult with the City on design of such sites. The first fire station shall be constructed at the expense of the Howard Hughes Corporation.

**RECOMMENDATION:**

The 9/29/2003 Real Estate Committee and staff recommend approval

**BACKUP DOCUMENTATION:**

Summerlin West Fire Station Site Dedication and Development Agreement

**MOTION:**

**REESE – Motion to APPROVE Items 3-11, 13, 15-22, and 24-53, as recommended, and STRIKE Item 23 – UNANIMOUS with MACK abstaining on Item 49 because it directly affects the principals of Becker Gaming, a client of MK<sup>2</sup>, and Item 52 because it is related to a larger project with the possibility of impacting land owned by his brother, STEVEN MACK**

**Items 12 & 14: APPROVED under separate actions (see individual items)**

**MINUTES:**

COUNCILMAN WEEKLY reported that the Real Estate Committee reviewed all the Real Estate items on the Consent Agenda and joins with the recommendation of staff that each item be approved by the City Council.

There was no further discussion.

(9:32 – 9:35)

1-825

**AGENDA SUMMARY PAGE**  
**CITY COUNCIL MEETING OF: OCTOBER 1, 2003**

**DEPARTMENT: PUBLIC WORKS**

**DIRECTOR: RICHARD D. GOECKE**

☒

**CONSENT**

☐

**DISCUSSION**

**SUBJECT:**

REPORT FROM REAL ESTATE COMMITTEE - Councilman Weekly and Councilwoman Moncrief

Approval of a Purchase Contract between Priority One Commercial (on behalf of the City of Las Vegas) and Rosa Wilson for real property known as APN 138-25-515-010 located at 1505 Laurelhurst Drive Unit 10 (\$67,000 plus closing costs - Special Revenue Fund) - Ward 1 (Moncrief)

**Fiscal Impact**

☐

**No Impact**

**Amount:** \$67,000 + closing costs

☒

**Budget Funds Available**

**Dept./Division:** Public Works/Real Estate

☐

**Augmentation Required**

**Funding Source:** Special Revenue Fund

**PURPOSE/BACKGROUND:**

This parcel is a condo located in the vicinity of Laurelhurst Dr./Westmoreland Dr. Over 90% of the units in this area are vacant and in disrepair, creating a safety and health problem to the area. Because a majority of the units are owned by one owner, it has made it impossible for a credible condo association of all of the owners in the area to organize, thus most of the properties are in disrepair as well and subject to many building code violations. CLV wishes to purchase this property, along with 41 other individually-owned units in an effort to clean & revitalize the area.

**RECOMMENDATION:**

The 9/29/2003 Real Estate Committee and staff recommend approval

**BACKUP DOCUMENTATION:**

Agreement for Purchase of Real Property

**MOTION:**

**REESE – Motion to APPROVE Items 3-11, 13, 15-22, and 24-53, as recommended, and STRIKE Item 23 – UNANIMOUS with MACK abstaining on Item 49 because it directly affects the principals of Becker Gaming, a client of MK<sup>2</sup>, and Item 52 because it is related to a larger project with the possibility of impacting land owned by his brother, STEVEN MACK**

**Items 12 & 14: APPROVED under separate actions (see individual items)**

**MINUTES:**

COUNCILMAN WEEKLY reported that the Real Estate Committee reviewed all the Real Estate items on the Consent Agenda and joins with the recommendation of staff that each item be approved by the City Council.

There was no further discussion.

(9:32 – 9:35)

1-825

**AGENDA SUMMARY PAGE**  
**CITY COUNCIL MEETING OF: OCTOBER 1, 2003**

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**DEPARTMENT: PUBLIC WORKS****DIRECTOR: RICHARD D. GOECKE**☒**CONSENT**☐**DISCUSSION****SUBJECT:**

REPORT FROM REAL ESTATE COMMITTEE - Councilman Weekly and Councilwoman Moncrief

Approval of a Purchase Agreement between the City of Las Vegas and Smart Start Day Care, Inc. for real property and improvements on approximately .55 acres located at 1260 West Owens, APN 139-21-804-004 - Ward 5 (Weekly)

**Fiscal Impact**☒**No Impact****Amount:**☐**Budget Funds Available****Dept./Division:**☐**Augmentation Required****Funding Source:****PURPOSE/BACKGROUND:**

In 1991 the City purchased property located at 1260 W. Owens and constructed a child care center to be operated by Smart Start Day Care, Inc. to provide child care for the low income residents of the West Las Vegas neighborhood. In addition to the city funds utilized for the construction of the facility, the owners/operators have invested more than \$125,000 of their own personal funds to add additional square footage and improve the property. For the past 11 years, the Day Care has provided services throughout the Las Vegas Valley and now wishes to purchase this property.

**RECOMMENDATION:**

The 9/29/2003 Real Estate Committee and staff recommend approval

**BACKUP DOCUMENTATION:**

Purchase Agreement

**MOTION:**

**REESE – Motion to APPROVE Items 3-11, 13, 15-22, and 24-53, as recommended, and STRIKE Item 23 – UNANIMOUS with MACK abstaining on Item 49 because it directly affects the principals of Becker Gaming, a client of MK<sup>2</sup>, and Item 52 because it is related to a larger project with the possibility of impacting land owned by his brother, STEVEN MACK**

**Items 12 & 14: APPROVED under separate actions (see individual items)**

**MINUTES:**

COUNCILMAN WEEKLY reported that the Real Estate Committee reviewed all the Real Estate items on the Consent Agenda and joins with the recommendation of staff that each item be approved by the City Council.

There was no further discussion.

(9:32 – 9:35)

1-825

**AGENDA SUMMARY PAGE**  
**CITY COUNCIL MEETING OF: OCTOBER 1, 2003**

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**DEPARTMENT: CITY MANAGER****DIRECTOR: DOUGLAS A. SELBY**☐**CONSENT**☒**DISCUSSION****SUBJECT:**

ADMINISTRATIVE:

Report regarding the drought and drought ordinance related issues

**Fiscal Impact**☒**No Impact****Amount:**☐**Budget Funds Available****Dept./Division:**☐**Augmentation Required****Funding Source:****PURPOSE/BACKGROUND:**

On July 16, 2003, the City Council approved Ordinance No. 5616, an ordinance to establish drought conservation measures in accordance with the Southern Nevada Water Authority's Drought Plan, and to provide for other related matters. There have been numerous requests to the various governing jurisdictions for exemptions to allow the continuation of the use of water features. To ensure consistency, the Southern Nevada Water District will be developing model language to address guidelines for waivers. Pending the amendment of Ordinance No. 5616 based upon the Southern Nevada Water District's guidelines, the City has requested that the Water District not conduct enforcement on properties that have submitted a waiver request.

**RECOMMENDATION:**

Report only; no action required.

**BACKUP DOCUMENTATION:**

None

**MOTION:****None required. A report was given.****MINUTES:**

CITY MANAGER SELBY reported that the recently adopted drought ordinance expanded on the City's previous ordinances against water waste by imposing further restrictions on outdoor water use and by significantly limiting the installation of turf at commercial and residential projects during the drought.

An additional limitation was imposed on the operation of water features. It is this section that has proved to be the most challenging to implement in a uniform manner across the Valley. At its 9/3/2003 meeting, the Council considered a request from the Fremont Street Experience and The Ribeiro Corporation for exemptions on their water features. At that meeting, the Council held the requests in abeyance, pending better criteria from staff for evaluating the water features and to make sure that the actions of the City were uniform with the actions of other jurisdictions in the Valley.

CITY COUNCIL MEETING OF OCTOBER 1, 2003

Administrative

Item 54 – Report regarding the drought and drought ordinance related issues

**MINUTES – Continued:**

Staff met with other jurisdictions and the Southern Nevada Water Authority to address the concerns the Council raised and revised the water feature section of the ordinance. Staff is proposing, in recognition of the contribution of water features to the creation of the Las Vegas entertainment environment, upon which much of Las Vegas' economic well being is dependent, a revised ordinance that would allow exemptions for water features associated with resort gaming or consortiums of resort gaming properties, if they submit a water use reduction plan that demonstrates water efficiency measures being taken overall on their properties. Moreover, features containing aquatic animals that were there prior to the declaration of the drought would continue to remain eligible for exemption. Both private and public recreational water features would be exempted. Features of less than 200 square feet in a residential development during the stage of "drought watch" would be exempted. Features less than 25 square feet during "drought alert," which is the next level of drought, would be exempted.

In addition, features in residential developments cannot be entry features or streetscape features. In other words, they cannot be used for marketing or promotion. They must be interior in a common area for the enjoyment of pedestrians and residents in the area. All other water features would be prohibited, but an allowance would be made for water to remain in those features sufficient to prevent damage to the structural integrity of the water feature or its associated plumbing. Operation of these features, for those purposes, would be allowed between 1:00 a.m. and 4:00 a.m. in the morning, during the time when evaporative losses would be minimal. There would also be a consideration for operation during freezing conditions, when damage might occur as a result of not operating. More serious limitations will be considered as the drought emergency stage gets near, which could include curtailing all water features throughout the Valley.

Staff intends to bring back a revised ordinance for introduction at the 10/15/2003 Council meeting and hopefully finalization at the 11/5/2003 meeting. In the meantime, any agency that has requested an exemption will be allowed to continue to operate their water features.

MAYOR GOODMAN asked whether the river on Lewis Street falls under the category of a public/private recreation feature and if it will flow again. CITY MANAGER SELBY responded that it would not be able to run again. It is not considered a recreational feature where children might be playing or adults might be swimming. MAYOR GOODMAN disagreed and said that he could not support it. He opined that there has to be uniformity and consistency. He does not understand how limitations can be set for one group and homeowners be expected to complacently let their lawns go brown.

AL GALLEGOS, citizen of Las Vegas, insisted that the drought ordinance does not have any teeth. He recently complained about running water in his neighborhood and no one responded. He kept calling and he was repeatedly told that someone would respond when they had time. A better system to respond to complaints is needed.



CITY COUNCIL MEETING OF OCTOBER 1, 2003

Administrative

Item 54 – Report regarding the drought and drought ordinance related issues

**MINUTES – Continued:**

DEBORAH ANTHONY indicated that when she was at the park on one occasion she complained to the park ranger about a water fountain that kept running, but no one took her seriously. She is very concerned about water conservation.

CITY MANAGER SELBY clarified that the City does not operate the water system. The enforcement of the rules and parts of the City's ordinance are dependent upon the Las Vegas Valley Water District.

COUNCILMAN BROWN indicated that even though homeowners make up the largest water user as a group, it is difficult to break it down to the individual property owner and allow water exemptions.

COUNCILMAN REESE indicated that he had a meeting with a representative from the Chelsea Group who was concerned about not being able to run the misting system during the summer months, especially since it is an outside mall. CITY MANAGER SELBY indicated that misting systems are addressed in the current ordinance, but he will make sure that is looked into further.

NOTE: COUNCILMAN BROWN directed CITY MANAGER SELBY to look at the possibility of allowing exemptions for certain water features in exchange for landscaping retrofitting measures that might significantly conserve water.

There was no further discussion.

(9:42 – 9:54)

**1-1169**

**AGENDA SUMMARY PAGE**  
**CITY COUNCIL MEETING OF: OCTOBER 1, 2003**

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**DEPARTMENT: CITY ATTORNEY**

**DIRECTOR: BRADFORD R. JERBIC**

☐

**CONSENT**

☒

**DISCUSSION**

**SUBJECT:**

Hearing, discussion and possible action regarding complaint seeking disciplinary action against Li Sheng Zhang d/b/a Joyful Massage Therapy, 2009 Paradise Road, Las Vegas, Clark County, Nevada, for violations of Title 6 of the Las Vegas Municipal Code - Ward 3 (Reese)

**Fiscal Impact**

☒

**No Impact**

**Amount:**

☐

**Budget Funds Available**

**Dept./Division:**

☐

**Augmentation Required**

**Funding Source:**

**PURPOSE/BACKGROUND:**

Hearing, discussion and possible action regarding disciplinary complaint.

**RECOMMENDATION:**

Recommend revocation of Massage Establishment License No. M03-000105-4-092697.

**BACKUP DOCUMENTATION:**

Complaint for Disciplinary Action

**MOTION:**

**REESE – ABEYANCE to 11/5/2003 – UNANIMOUS**

NOTE: COUNCILMAN MACK disclosed that although there is a SuperPawn shop in the area, he would be voting, as he does not believe it will impede his ability to vote on this matter.

**MINUTES:**

NOTE: A Verbatim Transcript is made a part of the Final Minutes.

NOTE: Under Item 1 this matter was pulled forward for consideration.

**APPEARANCES:**

BRAD JERBIC, City Attorney

JOHN WAWERNA, Attorney for Li Sheng Zhang, who was also present

(9:27 – 9:29/9:29 – 9:35)

**1-680/1-738**

**AGENDA SUMMARY PAGE**  
**CITY COUNCIL MEETING OF: OCTOBER 1, 2003**

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**DEPARTMENT: FINANCE AND BUSINESS SERVICES****DIRECTOR: MARK R. VINCENT**☐**CONSENT**☒**DISCUSSION****SUBJECT:**

Discussion and possible action on a sewer rate study that recommends increases to the annual sewer service and connection fees - All Wards

**Fiscal Impact**☒**No Impact****Amount:**☐**Budget Funds Available****Dept./Division:**☐**Augmentation Required****Funding Source:****PURPOSE/BACKGROUND:**

It has been 10 years since the City last increased sewer rates. During that time, we have made over \$170 million in capital improvements to the main WPCF plant to increase capacity, comply with new standards, and improve operational efficiency. Approximately \$115 million of the plant expansion was financed as pay-as-you-go, severely impacting reserve balances. A rate analysis performed by Hobbs Ong & Associates and their affiliate, Public Financial Management recommends significant rate increases to stabilize the Sanitation Enterprise Fund reserve balances and posture for future needs.

**RECOMMENDATION:**

Staff recommends that Council direct staff to move forward with drafting an ordinance to increase sewer rates in accordance with the rate study.

**BACKUP DOCUMENTATION:**

Agenda Memo

Submitted at the meeting: hard copy of PowerPoint

**MOTION:**

**REESE – APPROVED as recommended – UNANIMOUS**

**MINUTES:**

NOTE: A Verbatim Transcript is made a part of the Final Minutes.

**APPEARANCES:**

MARK VINCENT, Director, Finance and Business Services

RICHARD GOECKE, Director, Public Works

JOHN BONOW, [Managing Director, Public Financial Management](#)

AL GALLEG0, citizen of Las Vegas

TODD FARLOW, 240 N. 19<sup>th</sup> Street

STEVE SMALL

CITY COUNCIL MEETING OF OCTOBER 1, 2003

Finance and Business Services

Item 56 – Discussion and possible action on a sewer rate study that recommends increases to the annual sewer service and connection fees

**MINUTES – Continued:**

NOTE: COUNCILWOMAN McDONALD strongly opined that the formula for sewer fees should be more equitable and not a regressive fee structure. MR. VINCENT pointed out that the City is not a water purveyor and does not have easy access to water usage. Staff hopes to be able to use technology to formulate a more equitable way of billing residential customers.

(9:54 – 10:31)

**1-1653**

**AGENDA SUMMARY PAGE**  
**CITY COUNCIL MEETING OF: OCTOBER 1, 2003**

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**DEPARTMENT: FINANCE AND BUSINESS SERVICES**

**DIRECTOR: MARK R. VINCENT**

☐

**CONSENT**

☒

**DISCUSSION**

**SUBJECT:**

Discussion and possible action regarding a new Beer/Wine/Cooler On-sale License subject to the provisions of the planning codes, Ruben V. Gonzalez, DDS, Inc., dba La Choza de Don Cheche, 1558 North Eastern Avenue, Ruben V. Gonzalez, Dir, Pres, Secy, Treas, 100% [NOTE: Item to be heard in the afternoon session in conjunction with Item #118 - SUP-2683] - Ward 5 (Weekly)

**Fiscal Impact**

☒

**No Impact**

**Amount:**

☐

**Budget Funds Available**

**Dept./Division:**

☐

**Augmentation Required**

**Funding Source:**

**PURPOSE/BACKGROUND:**

Discussion and possible action regarding a new Beer/Wine/Cooler On-sale License

**RECOMMENDATION:**

Recommend approval subject to the provisions of the planning codes

**BACKUP DOCUMENTATION:**

None

**MOTION:**

**WEEKLY – APPROVED – UNANIMOUS**

**MINUTES:**

DAVE EDER, Nevada Gaming Application Consultants, 777 East Quartz Avenue, appeared on behalf of the applicant.

NOTE: See related Item 118 [SUP-2683] for all discussion.

(2:28 – 2:30)

**3-3402**

**AGENDA SUMMARY PAGE**  
**CITY COUNCIL MEETING OF: OCTOBER 1, 2003**

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**DEPARTMENT: FINANCE AND BUSINESS SERVICES**

**DIRECTOR: MARK R. VINCENT**

☐

**CONSENT**

☒

**DISCUSSION**

**SUBJECT:**

Discussion and possible action regarding a new Beer/Wine/Cooler On-sale License subject to the provisions of the planning codes, Hee S. Jung, dba Rising Sun, 9410 West Sahara Avenue, Suite 150, Hee S. Jung, 100% [NOTE: Item to be heard in the afternoon session in conjunction with Item #125 - SUP-2768] - Ward 2 (L.B. McDonald)

**Fiscal Impact**

☒

**No Impact**

**Amount:**

☐

**Budget Funds Available**

**Dept./Division:**

☐

**Augmentation Required**

**Funding Source:**

**PURPOSE/BACKGROUND:**

Discussion and possible action regarding a new Beer/Wine/Cooler On-sale License

**RECOMMENDATION:**

Recommend approval subject to the provisions of the planning codes

**BACKUP DOCUMENTATION:**

None

**MOTION:**

**L.B. McDONALD – APPROVED – UNANIMOUS with MONCRIEF not voting**

NOTE: COUNCILMAN MACK disclosed that Triple Five, a client of MK<sup>2</sup>, with which he is affiliated, is located in proximity to the applications pertaining to Items 125 and 58. However, he has not discussed these applications with his client and would vote on both items.

**MINUTES:**

HEE SEUNG JUNG ON, the applicant, 9410 West Sahara Avenue, Suite #150, and TODD FARLOW, 240 North 19<sup>th</sup> Street, were present.

NOTE: See related Item 125 [SUP-2768] for all discussion.

(2:46 – 2:47)

**4-411**

**AGENDA SUMMARY PAGE**  
**CITY COUNCIL MEETING OF: OCTOBER 1, 2003**

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**DEPARTMENT: FINANCE AND BUSINESS SERVICES****DIRECTOR: MARK R. VINCENT**☐**CONSENT**☒**DISCUSSION****SUBJECT:**

Discussion and possible action regarding a Six Month Review of a Massage Establishment License, Princess Massage, LLC, dba Princess Massage, 2212 Paradise Road, Douglas R. Wingo, Mmbr, 100% - Ward 3 (Reese)

**Fiscal Impact**☒**No Impact****Amount:**☐**Budget Funds Available****Dept./Division:**☐**Augmentation Required****Funding Source:****PURPOSE/BACKGROUND:**

Discussion and possible action regarding a Six Month Review of a Massage Establishment License

**RECOMMENDATION:**

Recommendation to be provided following discussion of this item at the City Council meeting

**BACKUP DOCUMENTATION:**

Agenda Memo

**MOTION:**

**REESE – APPROVED a six-month (4/7/2004) extension of the temporary license, allowing the establishment to operate from 9:00 a.m. to 9:00 p.m. – UNANIMOUS**

**MINUTES:**

The applicant was present.

JIM DiFIORE, Manager, Business Services, indicated that MR. WINGO was granted a temporary license in order to determine appropriateness of the business location. However, MR. WINGO has not had his business open the full six months. He opened in late May of this year, so there was no opportunity to review the business during the full term. The few inspections conducted did reveal that MR. WINGO has complied with the Business License Code and has had no criminal activity. DETECTIVE STACY RODD, Las Vegas Metropolitan Police Department (Metro), concurred with MR. DiFIORE that there are no areas of concern regarding criminal activity.

CITY COUNCIL MEETING OF OCTOBER 1, 2003

Finance and Business Services

Item 59 - Discussion and possible action regarding a Six Month Review of a Massage Establishment License, Princess Massage, LLC, dba Princess Massage, 2212 Paradise Road, Douglas R. Wingo, Mmbr, 100%

**MINUTES – Continued:**

MR. DiFIORE reported that in April of 2002 a survey of massage establishments was conducted, and he found that 80 percent of the industry operates until 9:00 p.m., whereas MR. WINGO'S limited hours of operation are from 9:00 a.m. to 6:00 p.m. MR. DiFIORE recommended the temporary license be extended for an additional six months and to relax the closing hours from 6:00 p.m. to 9:00 p.m. This would be consistent with current zoning codes. MR. WINGO pointed out that there are several businesses in the complex that stay open until at least 11:00 p.m. He asked if at the end of this review his hours of operation could be extended to midnight. He receives so many requests from people that work swing shift. MAYOR GOODMAN advised MR. WINGO that he could make that request to the Council at the end of his review.

There was no further discussion.

(10:31 – 10:35)

**1-3380**



**AGENDA SUMMARY PAGE**  
**CITY COUNCIL MEETING OF: OCTOBER 1, 2003**

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**DEPARTMENT: FINANCE AND BUSINESS SERVICES****DIRECTOR: MARK R. VINCENT**☐**CONSENT**☒**DISCUSSION****SUBJECT:**

Discussion and possible action regarding a Six Month Review of a Massage Establishment License, Cathay Massage, Inc., dba Cathay Massage, Inc., 7450 West Cheyenne Avenue, Suite 113, Chen H.Liu, Dir, Pres, Secy, Treas, 100% - Ward 4 (Brown)

**Fiscal Impact**☒**No Impact****Amount:**☐**Budget Funds Available****Dept./Division:**☐**Augmentation Required****Funding Source:****PURPOSE/BACKGROUND:**

Discussion and possible action regarding a Six Month Review of a Massage Establishment License

**RECOMMENDATION:**

Recommendation to be provided following discussion of this item at the City Council meeting

**BACKUP DOCUMENTATION:**

Agenda Memo

**MOTION:**

**BROWN – APPROVED a six-month (4/7/2004) extension of the temporary license, allowing the establishment to operate from 9:00 a.m. to 9:00 p.m., and subject to the original conditions imposed – UNANIMOUS**

**MINUTES:**

The applicant was present.

JIM DiFIORE, Manager, Business Services, reported that on 10/2/2002 the City Council approved a temporary license, subject to the following conditions: a) any arrests or citations that occur on the premises require written notification to Business Services within 48 hours of the time of the incident; b) the hours of operation are limited from 9:00 a.m. to 8:00 p.m.; c) **HONG KANG** cannot work on the premises during the six-month period; and d) the manager of Business Licenses has the authority to suspend or revoke the temporary license if any of the imposed conditions are violated.

During the six-month review, MR. LIU opened his business for a short period in November and December and closed down until mid-March 2003. On April 2, 2003, the City Council approved an extension subject to the same conditions. Since that time, Business Services has conducted six unannounced visits and found compliance with the Business License Codes.

CITY COUNCIL MEETING OF OCTOBER 1, 2003

Finance and Business Services

Item 60 – Discussion and possible action regarding a Six Month Review of a Massage Establishment License, Cathay Massage, Inc., dba Cathay Massage, Inc., 7450 West Cheyenne Avenue, Suite 113, Chen H.Liu, Dir, Pres, Secy, Treas, 100%

**MINUTES – Continued:**

However, on July 9, 2003, an independent massage therapist working under MR. LIU’S direction was arrested for solicitation of prostitution. MR. LIU notified Business Services within the required time and fired the massage therapist, nevertheless the alleged act is a reflection on MR. LIU’S ability to manage his operation. MR. DiFIORE recommended an additional six-month review of the temporary license, with the same conditions originally imposed.

MR. LIU asked if he could stay open two hours longer. MR. DiFIORE indicated that MR. LIU’S hours of operation were limited from 9:00 a.m. to 8:00 p.m.; however, the typical hours of operation under current zoning standards are 9:00 a.m. to 9:00 p.m. COUNCILMAN BROWN confirmed with MR. DiFIORE that MR. LIU fully understands the conditions.

DETECTIVE STACY RODD, Las Vegas Metropolitan Police Department (Metro), was present.

There was no further discussion.

(10:35 – 10:39)

**1-3610/2-1**

**AGENDA SUMMARY PAGE**  
**CITY COUNCIL MEETING OF: OCTOBER 1, 2003**

**DEPARTMENT: FINANCE AND BUSINESS SERVICES**

**DIRECTOR: MARK R. VINCENT**

☐

**CONSENT**

☒

**DISCUSSION**

**SUBJECT:**

Discussion and possible action regarding a new Class II Secondhand Dealer License subject to the provisions of the planning and fire codes, RL Ventures, LLC, dba Fashion Exchange, 8320 West Sahara Avenue, Suite 160, Linda J. Haney, Mmbr, 50%, Richard D. Haney, Mmbr, 50%  
[NOTE: Item to be heard in the afternoon session in conjunction with Item #120 - SUP-2734] - Ward 1 (Moncrief)

**Fiscal Impact**

☒

**No Impact**

**Amount:**

☐

**Budget Funds Available**

**Dept./Division:**

☐

**Augmentation Required**

**Funding Source:**

**PURPOSE/BACKGROUND:**

Discussion and possible action regarding a new Class II Secondhand Dealer License

**RECOMMENDATION:**

Recommend approval subject to the provisions of the planning and fire codes

**BACKUP DOCUMENTATION:**

None

**MOTION:**

**MONCRIEF – APPROVED – UNANIMOUS**

**MINUTES:**

LINDA HANEY, 5991 West O'Bannon Drive, concurred with all staff conditions.

NOTE: See related Item 120 [SUP-2734] for all discussion.

(2:32 – 2:34)

**3-3642**

**AGENDA SUMMARY PAGE**  
**CITY COUNCIL MEETING OF: October 1, 2003**

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**DEPARTMENT: FINANCE AND BUSINESS SERVICES****DIRECTOR: MARK R. VINCENT**☐**CONSENT**☒**DISCUSSION****SUBJECT:**

Discussion and possible action regarding an Appeal of Denial of Business License for a Child Care Family Home License, Joyce Cathey, 1720 East Oakey Boulevard, Ward 3 (Reese)

**Fiscal Impact**☒**No Impact****Amount:**☐**Budget Funds Available****Dept./Division:**☐**Augmentation Required****Funding Source:****PURPOSE/BACKGROUND:**

Joyce Cathey, 1720 East Oakey Boulevard, applied for a Child Care Family Home License for 6 children days and 3 children nights. Investigation revealed a criminal record in Lansing, Michigan dating back to 1995 where she has had four arrests and convictions for disturbing the peace, assault and battery, frequenting a drug house, and operating a vehicle while under the influence. On September 10, 2003 the Child Care Licensing Board denied her application for this license. Her appeal is authorized by LVMC 6.24.110.

**RECOMMENDATION:**

Recommendation to be provided following discussion of this item at the City Council meeting

**BACKUP DOCUMENTATION:**

Appeal letter from Joyce Cathey

**MOTION:**

**REESE – APPROVED a two-year conditional license, with a six-month 4/7/2004 review and contingent upon the following: that MS. CATHEY provide proof that any outstanding warrant fees in Lansing, Michigan, have been paid off; no alcohol is to be on the premises of her family care home; that she submit to a breathalyzer test if sufficient cause warrants one; and that any citations or arrests be reported in writing to Metro Special Investigations and to Business Services – UNANIMOUS with L.B. McDONALD voting NO**

**MINUTES:**

The applicant was present.

JIM DiFIORE, Manager, Business Services, indicated that MS. CATHEY appeared before the Child Care Licensing Board on 9/10/2003.

CITY COUNCIL MEETING OF OCTOBER 1, 2003

Finance and Business Services

Item 62 - Discussion and possible action regarding an Appeal of Denial of Business License for a Child Care Family Home License, Joyce Cathey, 1720 East Oakey Boulevard

**MINUTES – Continued:**

SGT. REAGAN ALEXANDER, Las Vegas Metropolitan Police Department (Metro), referred to the confidential report and indicated that the area of concern goes back to 1995 and relates to some criminal history involving violence and alcohol in Michigan. The most recent incident occurred in 2001. MAYOR GOODMAN confirmed with SGT. ALEXANDER that MS. CATHEY’S record does not involve abuse or endangerment to children.

MR. DiFIORE recommended a two-year conditional license, with a six-month review and contingent upon the following: that MS. CATHEY provide proof that any outstanding warrant fees in Lansing, Michigan, have been paid off; no alcohol is to be on the premises of her family care home, and that she submit to a breathalyzer test if sufficient cause warrants one, and that any citations or arrests be reported in writing to Metro Special Investigations and to Business Services. MAYOR GOODMAN verified with MS. CATHEY that she fully understood the conditions.

COUNCILMAN REESE noted that he met with MS. CATHEY and thinks she will abide by the conditions and do a good job taking care of children.

There was no further discussion.

(10:39 – 10:43)

**2-107**

**AGENDA SUMMARY PAGE**  
**CITY COUNCIL MEETING OF: OCTOBER 1, 2003**

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**DEPARTMENT: LEISURE SERVICES**

**DIRECTOR:** BARBARA P. JACKSON, DPA ☐ **CONSENT** ☒ **DISCUSSION**

**SUBJECT:**

Discussion and possible action on naming a park located at Stange Avenue and Cliff Shadow Parkway - Ward 4 (Brown)

**Fiscal Impact**

<input checked="" type="checkbox"/>	No Impact	Amount:
<input type="checkbox"/>	Budget Funds Available	Dept./Division:
<input type="checkbox"/>	Augmentation Required	Funding Source:

**PURPOSE/BACKGROUND:**

At a past monthly Parks and Recreation Advisory Commission meeting, the park naming sub-committee reported the recommendation of Sky Ridge Park for the park site currently known as the Stange park site located at Stange Avenue and Cliff Shadow Parkway. The vote by the Board was unanimous to recommend the name to City Council

**RECOMMENDATION:**

Staff recommends City Council approval

**BACKUP DOCUMENTATION:**

None

**MOTION:**

**BROWN – APPROVED the name of Sky Ridge Park – UNANIMOUS**

**MINUTES:**

DR. BARBARA JACKSON, Director, Leisure Services, reviewed the information contained in the Purpose/Background section above. She indicated that the name is fitting because the park location is the highest point in the City.

COUNCILMAN BROWN acknowledged JOHN and JENNIFER RYAN, who recommended the name for the park.

There was no further discussion.

(10:43 – 10:45)  
2-250

**AGENDA SUMMARY PAGE**  
**CITY COUNCIL MEETING OF: OCTOBER 1, 2003**

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**DEPARTMENT: PLANNING & DEVELOPMENT****DIRECTOR: ROBERT S. GENZER**☐**CONSENT**☒**DISCUSSION****SUBJECT:**

Joint public hearing, discussion and possible action to amend the city of Las Vegas Downtown Development Plan Map Article V Section 500 (Map 9) of the Las Vegas Redevelopment Plan to consolidate all categories, and to amend Article IX, Duration of this Plan, from forty (40) years to forty-five (45) years - Wards 1, 3 and 5 (Moncrief, Reese and Weekly) [NOTE: This item is a companion item to Redevelopment Agency Item #6]

**Fiscal Impact**☒**No Impact****Amount:**☐**Budget Funds Available****Dept./Division:**☐**Augmentation Required****Funding Source:****PURPOSE/BACKGROUND:**

Amend the city of Las Vegas Downtown Development Plan Map Article V Section 500 (Map 9) of the Las Vegas Redevelopment Plan to consolidate all categories, and to amend Article IX, Duration of this Plan, from 40 years to 45 years.

**RECOMMENDATION:**

Staff recommends APPROVAL and that staff be directed to prepare an ordinance.

**BACKUP DOCUMENTATION:**

1. Agenda Memo
  2. Agenda Summary Page (Item #1) of August 20, 2003 Redevelopment Agency Meeting
  3. Public hearing notice mailed to property owners and published 9-19-03
  4. Correspondence from property owner Willa May Ottey received 9-01-03
  5. Correspondence from property owner Vernice Holley received 9-15-03
  6. Response letter to The Skancke Company 9-16-03
  7. Radius Map
  8. Existing Downtown Development Plan Color Map 9
  9. Proposed Downtown Development Plan Map (Version 8)
- Submitted after Final Agenda: Proposed Downtown Development Plan Map (Version 9)

**MOTION:**

**REESE – APPROVED as recommended – UNANIMOUS**

NOTE: COUNCILMAN MACK disclosed that although a SuperPawn, with which he is affiliated and is owned by his brother, STEVEN MACK, and Lady Luck Casino, with whom his brother-in-law, ANDREW DONNER, has a contract, are located in the redevelopment area, he would be voting, as neither would be affected by the proposed changes. Additionally, his brother and brother-in-law have not discussed or inquired about the proposed changes.

CITY COUNCIL MEETING OF OCTOBER 1, 2003

Planning & Development

Item 64 – Joint public hearing, discussion and possible action to amend the city of Las Vegas Downtown Development Plan Map Article V Section 500 (Map 9) of the Las Vegas Redevelopment Plan to consolidate all categories, and to amend Article IX, Duration of this Plan, from forty (40) years to forty-five (45) years - Wards 1, 3 and 5 (Moncrief, Reese and Weekly) **[NOTE: This item is a companion item to Redevelopment Agency Item #6]**

**MINUTES:**

MAYOR GOODMAN declared the joint Public Hearing with Redevelopment Agency open.

MARGO WHEELER, Deputy Director, Planning & Development, commented that the joint public hearing is required under NRS 279.608 in order to make modifications to the Redevelopment Plan, which was adopted in 1986. The map adopted in 1992 was adopted as both the Redevelopment and General Plan for the downtown redevelopment area and extending beyond the identified downtown Centennial Plan area. The map has over 30 land-use designations, which has proven rather difficult to implement. Therefore, the proposed change is to consolidate these land-use categories into what is Version No. 9 of the map. This will adopt new land-use categories for both the Redevelopment Plan and the General Plan.

The two primary issues are that the public designations are only for land that is held by a public agency and is anticipated to remain held by a public agency. The mixed-use category allows residential and commercial, and the intention is to make sure that existing zoning is compatible with the proposed General Plan or Redevelopment Plan.

MR. WHEELER requested approval as recommended, noting that the required public hearings and public meetings have been held. Also, there are no projects, no acquisitions, no new programs, and no condemnation, and no action is being requested of the Council or the Agency. The only changes are to consolidate the land-use and redevelopment plan map and to change the plan from 40 to 45 years.

AL GALLEGOS, citizen of Las Vegas, indicated that any discussions about redevelopment scare the people in his neighborhood. He noted that all the public meetings were held in English; hence, Spanish-speaking people could not ask any questions. He requested that he be removed from the redevelopment area. In his opinion, landowners in the redevelopment area are just sitting on their property and not taking care of it until they can sell it at a good price. If his neighborhood is not removed from the redevelopment area, he would like it designated a historic district so that it can be protected.

TODD FARLOW, 240 N. 19<sup>th</sup> Street, concurred with MR. GALLEGOS'S comments. What scares people the most is the recent court decision regarding the Pappas property, because the Redevelopment Agency took that property using eminent domain and sold it to a developer. He wants to put money into his home, but he is afraid that it will be taken away. MAYOR GOODMAN indicated that the people have no reason to be alarmed with this Council. It consistently has taken the position that it will not engage in eminent domain.



CITY COUNCIL MEETING OF OCTOBER 1, 2003

Planning & Development

Item 64 – Joint public hearing, discussion and possible action to amend the city of Las Vegas Downtown Development Plan Map Article V Section 500 (Map 9) of the Las Vegas Redevelopment Plan to consolidate all categories, and to amend Article IX, Duration of this Plan, from forty (40) years to forty-five (45) years - Wards 1, 3 and 5 (Moncrief, Reese and Weekly) **[NOTE: This item is a companion item to Redevelopment Agency Item #6]**

**MINUTES - Continued:**

MAYOR GOODMAN declared the joint Public Hearing with Redevelopment Agency closed.

There was no further discussion.

NOTE: 10/1/2003 Redevelopment Agency companion Item 6 contains duplicate minutes.

(11:24 – 11:33)

**2-1700**

**AGENDA SUMMARY PAGE**  
**CITY COUNCIL MEETING OF: OCTOBER 1, 2003**

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**DEPARTMENT: FINANCE AND BUSINESS SERVICES****DIRECTOR: MARK R. VINCENT**☐**CONSENT**☒**DISCUSSION****SUBJECT:**

RESOLUTIONS:

**R-137-2003** - Public hearing and possible action on a resolution authorizing the issuance of a medium term obligation, not to exceed \$2,000,000, for affordable housing - Ward 5 (Weekly) (NOTE: Ward 1 [Moncrief] is the correct designation.)

**Fiscal Impact**☒**No Impact****Amount:**☐**Budget Funds Available****Dept./Division:**☐**Augmentation Required****Funding Source:****PURPOSE/BACKGROUND:**

The medium-term obligation is being issued pursuant to NRS 350.087 to 350.095, inclusive and NRS 350.500 to 350.720, inclusive. The debt is expected to be repaid using either: a) 18% of the Redevelopment Agency tax increment proceeds which are set aside for affordable housing; or b) the sale of property. A resolution of the Redevelopment Agency provides the authority for the Redevelopment Agency to transfer the 18% housing set-aside to the City's Affordable Housing Special Revenue Fund.

**RECOMMENDATION:**

It is recommended that the Council adopt this resolution.

**BACKUP DOCUMENTATION:**

Resolution No. R-137-2003 - 2003 Medium-Term Housing Authorization Resolution  
Submitted at the meeting: document titled "Memorandum – Demand Note" by Isaac Henderson

**MOTION:**

**MONCRIEF – APPROVED as recommended – UNANIMOUS**

**MINUTES:**

MAYOR GOODMAN declared the Public Hearing open.

MARK VINCENT, Director, Finance and Business Services, stated that this resolution would allow the City to renegotiate competitively a bank note for \$2 million, to be paid back in quarterly installments of \$125,000. The note can be paid back through affordable housing or from proceeds of the sale of the land.

CITY COUNCIL MEETING OF OCTOBER 1, 2003

Resolutions

Item 65 – R-137-2003

**MINUTES – Continued:**

BEATRICE TURNER, West Las Vegas resident, questioned the location of the land and what the City intends to build on it. MR. VINCENT replied that the property is roughly in the vicinity of Decatur and Vegas Drive, behind the property commonly known as the WonderWorld property. The remaining units will be demolished as they are acquired. MS. TURNER then asked how the rent will be calculated for the affordable housing units. MR. VINCENT could not answer the question because a development plan does not exist.

MS. TURNER noted that the area is terrifying. She is concerned about seniors living in the area and how they might be relocated. DEPUTY CITY MANAGER FRETWELL commented that the City is obligated to assist in relocation, as part of the federal funding requirements, and all the steps will be followed. However, most of the properties that are being demolished are vacant.

COUNCILMAN WEEKLY noted that this property is in Ward 1.

ISAAC HENDERSON presented a document titled “Memorandum – Demand Note,” which is made a part of the record, and said he wanted every Council member to have one so they could each have affordable housing projects in their wards.

COUNCILWOMAN MONCRIEF commended staff on the wonderful job being done in acquiring all these properties.

MAYOR GOODMAN declared the Public Hearing closed.

There was no further discussion.

(10:45 – 10:50)

**2-294**

**AGENDA SUMMARY PAGE**  
**CITY COUNCIL MEETING OF: OCTOBER 1, 2003**

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**DEPARTMENT: CITY CLERK****DIRECTOR: BARBARA JO (RONI) RONEMUS** ☐ **CONSENT** ☒ **DISCUSSION****SUBJECT:****BOARDS & COMMISSIONS:**

CHILD CARE LICENSING BOARD – Cheryl S. Polk – Term Expiration 6-2005 (Resigned)

**Fiscal Impact**☒**No Impact****Amount:**☐**Budget Funds Available****Dept./Division:**☐**Augmentation Required****Funding Source:****PURPOSE/BACKGROUND:**

The Child Care Licensing Board consists of five members appointed by the City Council. Currently, Las Vegas Municipal Code (LVMC) 6.24 governing this Board is being reviewed for expansion to seven members. However, at the present time, membership remains at five and appointments are coterminous with the Council member making the appointment. Ms. Polk is the coterminous appointment of Councilwoman Lynette Boggs McDonald and, with her resignation, Councilwoman McDonald is eligible to make this appointment. This member must be a city resident, may not be a licensed operator of a child care facility, and there is no limit to the number of terms that may be served.

**RECOMMENDATION:**

It will be necessary for Councilwoman Lynette Boggs McDonald to appoint a new representative as her coterminous appointment. This member must be a city resident and may not be a licensed operator of a child care facility. The appointee will fill the unexpired term, which ends June 2005.

**BACKUP DOCUMENTATION:**

1. Resignation letter from Cheryl S. Polk
2. Current Listing and Authority – Child Care Licensing Board

**MOTION:****L.B. McDONALD – ABEYANCE to 10/15/2003 - UNANIMOUS****MINUTES:**

There was no discussion.

(10:50)

**2-460**

**AGENDA SUMMARY PAGE**  
**CITY COUNCIL MEETING OF: OCTOBER 1, 2003**

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**DEPARTMENT: CITY CLERK**

**DIRECTOR: BARBARA JO (RONI) RONEUMUS** ☐ **CONSENT** ☒ **DISCUSSION**

**SUBJECT:**

**BOARDS & COMMISSIONS:**

CIVIL SERVICE BOARD OF TRUSTEES – Theodore Parker, Term Expiration 9-20-2003

**Fiscal Impact**

☐

**No Impact**

**Amount:** \$50.00 per meeting

☒

**Budget Funds Available**

**Dept./Division:** Human Resources

☐

**Augmentation Required**

**Funding Source:** General Fund

**PURPOSE/BACKGROUND:**

The Board of Civil Service Trustees is comprised of 5 members appointed by the City Council. Members of this board must be City residents and attendance is compensatory. Members are limited to two full terms. Mr. Parker has served two terms and is therefore not eligible for reappointment.

**RECOMMENDATION:**

Procedure for this Board requires appointment by the City Council.

**BACKUP DOCUMENTATION:**

Current Listing and Authority-Board of Civil Service Trustees

**MOTION:**

**REESE – ABEYANCE to 10/15/2003 - UNANIMOUS**

**MINUTES:**

There was no discussion.

(10:50)

2-473

**AGENDA SUMMARY PAGE**  
**CITY COUNCIL MEETING OF: OCTOBER 1, 2003**

**DEPARTMENT: CITY ATTORNEY**

**DIRECTOR: BRADFORD R. JERBIC**

☐

**CONSENT**

☒

**DISCUSSION**

**SUBJECT:**

RECOMMENDING COMMITTEE: BILL ELIGIBLE FOR ADOPTION AT THIS MEETING:

**Bill No. 2003-69** – Annexation No. A-0022-01(A) – Property location: On the north side of Vegas Drive, approximately 735 feet east of Michael Way; Petitioned by: Angel Medina, et al.; Acreage: 0.69 acres; Zoned: C-P and R-D (County zoning), O and R-D (City equivalents). Sponsored by: Councilman Lawrence Weekly

**Fiscal Impact**

☒

**No Impact**

**Amount:**

☐

**Budget Funds Available**

**Dept./Division:**

☐

**Augmentation Required**

**Funding Source:**

**PURPOSE/BACKGROUND:**

The proposed ordinance annexes certain real property generally located on the north side of Vegas Drive, approximately 735 feet east of Michael Way. The annexation is at the request of the predecessors-in-interest of the current property owners, in consideration of connection to City sewer facilities. The annexation process has now been completed in accordance with the NRS and the final date of annexation (October 10, 2003) is set by this ordinance.

**RECOMMENDATION:**

ADOPTION at 10/1/2003 City Council meeting pursuant to the 9/15/2003 Recommending Committee.

First Reading – 9/3/2003; First Publication – 9/19/2003

**BACKUP DOCUMENTATION:**

Bill No. 2003-69 and Location Map

**MOTION:**

**WEEKLY – Second Reading and BILL ADOPTED as recommended as Ordinance No. 5625 – UNANIMOUS with MACK abstaining because his brother, STEVEN MACK, owns property nearby**

NOTE: After the initial vote, which was unanimous, and before considering Item 71, COUNCILMAN MACK indicated he would be abstaining for the above reason.

Clerk to proceed with second publication

**MINUTES:**

There was no further discussion.

(10:51/10:53)

**2-490/2-570**

**AGENDA SUMMARY PAGE**  
**CITY COUNCIL MEETING OF: OCTOBER 1, 2003**

**DEPARTMENT: CITY ATTORNEY**

**DIRECTOR: BRADFORD R. JERBIC**

☐

**CONSENT**

☒

**DISCUSSION**

**SUBJECT:**

RECOMMENDING COMMITTEE: BILL ELIGIBLE FOR ADOPTION AT THIS MEETING:

**Bill No. 2003-70** – Annexation No. ANX-2424 – Property location: On the northwest corner of El Campo Grande Avenue and Rebecca Road; Petitioned by: J. L. Pennington; Acreage: 5.38 acres; Zoned: R-E (County zoning), R-E (City equivalent). Sponsored by: Councilman Michael Mack

**Fiscal Impact**

☒

**No Impact**

**Amount:**

☐

**Budget Funds Available**

**Dept./Division:**

☐

**Augmentation Required**

**Funding Source:**

**PURPOSE/BACKGROUND:**

The proposed ordinance annexes certain real property generally located on the northwest corner of El Campo Grande Avenue and Rebecca Road. The annexation is at the request of one of the property owners. The annexation process has now been completed in accordance with the NRS and the final date of annexation (September 26, 2002) is set by this ordinance.

NOTE: A portion of the property is developed with stables.

**RECOMMENDATION:**

ADOPTION at 10/1/2003 City Council meeting pursuant to the 9/15/2003 Recommending Committee.

First Reading – 9/3/2003; First Publication – 9/19/2003

**BACKUP DOCUMENTATION:**

Bill No. 2003-70 and Location Map

**MOTION:**

**WEEKLY – Second Reading and BILL ADOPTED as a First Amendment as Ordinance No. 5626 – UNANIMOUS**

Clerk to proceed with second publication

**MINUTES:**

CHIEF DEPUTY CITY ATTORNEY VAL STEED stated that Sections 4, 5, and 6 should be amended with the date of 10/10/2003.

There was no further discussion.

(10:51)

**2-510**

**AGENDA SUMMARY PAGE**  
**CITY COUNCIL MEETING OF: OCTOBER 1, 2003**

**DEPARTMENT: CITY ATTORNEY**

**DIRECTOR: BRADFORD R. JERBIC**

☐

**CONSENT**

☒

**DISCUSSION**

**SUBJECT:**

RECOMMENDING COMMITTEE: BILL ELIGIBLE FOR ADOPTION AT THIS MEETING:

**Bill No. 2003-71** – Annexation No. ANX-2556 – Property location: On the east side of Smith Street, approximately 650 feet south of Lake Mead Boulevard; Petitioned by: Jerry and Bridgett Scott; Acreage: 0.50 acres; Zoned: R-E (County zoning), U (R) (City equivalent). Sponsored by: Councilman Lawrence Weekly

**Fiscal Impact**

☒

**No Impact**

**Amount:**

☐

**Budget Funds Available**

**Dept./Division:**

☐

**Augmentation Required**

**Funding Source:**

**PURPOSE/BACKGROUND:**

The proposed ordinance annexes certain real property generally located on the east side of Smith Street, approximately 650 feet south of Lake Mead Boulevard. The annexation is at the request of the property owners. The annexation process has now been completed in accordance with the NRS and the final date of annexation (September 26, 2002) is set by this ordinance.

**RECOMMENDATION:**

ADOPTION at 10/1/2003 City Council meeting pursuant to the 9/15/2003 Recommending Committee.

First Reading – 9/3/2003; First Publication – 9/19/2003

**BACKUP DOCUMENTATION:**

Bill No. 2003-71 and Location Map

**MOTION:**

**WEEKLY – Second Reading and BILL ADOPTED as a First Amendment as Ordinance No. 5627 – UNANIMOUS**

Clerk to proceed with second publication

**MINUTES:**

CHIEF DEPUTY CITY ATTORNEY VAL STEED stated that Sections 4, 5, and 6 should be amended with the date of 10/10/2003.

There was no further discussion.

(10:51 – 10:53)

**2-536**



**AGENDA SUMMARY PAGE**  
**CITY COUNCIL MEETING OF: OCTOBER 1, 2003**

**DEPARTMENT: CITY ATTORNEY**

**DIRECTOR: BRADFORD R. JERBIC**

☐

**CONSENT**

☒

**DISCUSSION**

**SUBJECT:**

**RECOMMENDING COMMITTEE: BILL ELIGIBLE FOR ADOPTION AT THIS MEETING:**

**Bill No. 2003-72** – Redesignates the term “halfway house, criminal” as “halfway house” for zoning purposes. Sponsored by: Councilman Lawrence Weekly

**Fiscal Impact**

☒

**No Impact**

**Amount:**

☐

**Budget Funds Available**

**Dept./Division:**

☐

**Augmentation Required**

**Funding Source:**

**PURPOSE/BACKGROUND:**

This bill will redesignate the term “halfway house, criminal” as “halfway house” for zoning purposes. The zoning requirements and limitations for the use will remain the same.

**RECOMMENDATION:**

ADOPTION at 10/1/2003 City Council meeting pursuant to the 9/15/2003 Recommending Committee.

First Reading – 9/3/2003; First Publication – 9/19/2003

**BACKUP DOCUMENTATION:**

Bill No. 2003-72

**MOTION:**

**WEEKLY – Second Reading and BILL ADOPTED as recommended as Ordinance No. 5628 – UNANIMOUS**

Clerk to proceed with second publication

**MINUTES:**

JUNE INGRAM, Charleston Heights Neighborhood Preservation Committee, objected to the definition change and felt that halfway houses should not be placed in residential neighborhoods. MAYOR GOODMAN said that there is no question that a halfway house refers to individuals who have had criminal problems and have been released from an institution to be placed in a halfway house as part of their sentence. It is pretty much understood. As far as their location, this bill does not address that. Nevertheless, he indicated that on previous occasions residents have expressed to the Council such a high objection to a halfway house being placed in their neighborhood that the application was denied or withdrawn.

CITY COUNCIL MEETING OF OCTOBER 1, 2003

Recommending

Item 71 – Bill No. 2003-72

**MINUTES – Continued:**

COUNCILMAN WEEKLY appreciated MS. INGRAM'S comments and concerns, noting that she and anyone else that objects to a halfway house would have the right to express that objection at a public hearing. He indicated that there are a lot of illegal halfway houses in operation. He sponsored this bill and hopes that, through the City's new program EVOLVE, ex-offenders will be rehabilitated.

There was no further discussion.

(10:53 – 10:58)

**2-575**

**AGENDA SUMMARY PAGE**  
**CITY COUNCIL MEETING OF: OCTOBER 1, 2003**

---

**DEPARTMENT: CITY ATTORNEY**

**DIRECTOR: BRADFORD R. JERBIC**

☐

**CONSENT**

☒

**DISCUSSION**

**SUBJECT:**

**RECOMMENDING COMMITTEE: BILL ELIGIBLE FOR ADOPTION AT THIS MEETING:**

**Bill No. 2003-73** – Levies Assessment for Special Improvement District No. 1479 – Mayfair Area. Sponsored by: Step Requirement

**Fiscal Impact**

☐

**No Impact**

**Amount:** \$70,328.08

☐

**Budget Funds Available**

**Dept./Division:** Public Works/SID

☒

**Augmentation Required**

**Funding Source:** Capital Projects Fund - Special Assessments

**PURPOSE/BACKGROUND:**

Construction and installation of streetlights. The District is located in the Mayfair subdivision bounded by 15th Street on the west, Fremont Street on the north, Bruce Street on the east, and Charleston Boulevard on the south.

**RECOMMENDATION:**

ADOPTION at 10/1/2003 City Council meeting pursuant to the 9/15/2003 Recommending Committee.

First Reading – 9/3/2003; First Publication – 9/19/2003

**BACKUP DOCUMENTATION:**

Bill No. 2003-73

**MOTION:**

**WEEKLY – Second Reading and BILL ADOPTED as recommended as Ordinance No. 5629 – UNANIMOUS**

Clerk to proceed with second publication

**MINUTES:**

MAYOR GOODMAN indicated reviewed the information contained in the Purpose/Background section above.

There was no further discussion.

(10:58 – 10:59)

**2-730**

**AGENDA SUMMARY PAGE**  
**CITY COUNCIL MEETING OF: OCTOBER 1, 2003**

**DEPARTMENT: CITY ATTORNEY**

**DIRECTOR: BRADFORD R. JERBIC**

☐

**CONSENT**

☒

**DISCUSSION**

**SUBJECT:**

**RECOMMENDING COMMITTEE: BILL ELIGIBLE FOR ADOPTION AT THIS MEETING:**

**Bill No. 2003-74** – Ordinance Creating Special Improvement District No. 1502 - Grand Montecito Parkway (Centennial Parkway to Elkhorn Road). Sponsored by: Step Requirement

**Fiscal Impact**

☐

**No Impact**

**Amount:** \$6,946,446.37

☐

**Budget Funds Available**

**Dept./Division:** Public Works/SID

☒

**Augmentation Required**

**Funding Source:** Capital Projects Fund - Special Assessments

**PURPOSE/BACKGROUND:**

Grand Montecito Parkway is part of the Town Center loop road system and is funded 100% by the Special Improvement District. The project will include installation of full width pavement, median islands, storm drain facilities, curb and gutter, streetlights, commercial driveways, fire hydrants, sewer mains and laterals, and water mains and laterals. The SID will be paid over a 20-year period. The basis of assessment is frontage. Construction is expected to begin in late 2003.

**RECOMMENDATION:**

ADOPTION at 10/1/2003 City Council meeting pursuant to the 9/15/2003 Recommending Committee.

First Reading – 9/3/2003; First Publication – 9/19/2003

**BACKUP DOCUMENTATION:**

Bill No. 2003-74

**MOTION:**

**WEEKLY – Second Reading and BILL ADOPTED as recommended as Ordinance No. 5630 – UNANIMOUS**

Clerk to proceed with second publication

**MINUTES:**

There was no discussion.

(10:59)

**2-759**

**AGENDA SUMMARY PAGE**  
**CITY COUNCIL MEETING OF: OCTOBER 1, 2003**

---

**DEPARTMENT: CITY ATTORNEY**

**DIRECTOR: BRADFORD R. JERBIC**

☐

**CONSENT**

☒

**DISCUSSION**

**SUBJECT:**

RECOMMENDING COMMITTEE: BILL ELIGIBLE FOR ADOPTION AT A LATER MEETING:

**Bill No. 2003-75** – Includes time-share projects, hotels, motels, bed and breakfast establishments, lodging houses, apartment hotels, apartment houses, recreational vehicle parks and campground establishments within the transient lodging room rent tax provisions and licensing requirements. Proposed by: Mark Vincent, Director of Finance and Business Services

**Fiscal Impact**

☒

**No Impact**

**Amount:**

☐

**Budget Funds Available**

**Dept./Division:**

☐

**Augmentation Required**

**Funding Source:**

**PURPOSE/BACKGROUND:**

In support of the City's implementation of transient lodging room rent taxes required or permitted to be imposed by State law, this bill defines the term "transient lodging" consistently with State law and states with greater specificity those items of revenue included as part of room rent.

**RECOMMENDATION:**

ABEYANCE to 10/13/2003 Recommending Committee meeting pursuant to the 9/29/2003 Recommending Committee.

First Reading – 9/17/2003; First Publication – N/A

**BACKUP DOCUMENTATION:**

None

**MOTION:**

None required.

**MINUTES:**

Recommendation noted.

10/13/2003 Recommending Committee

10/15/2003 Council Agenda

**AGENDA SUMMARY PAGE**  
**CITY COUNCIL MEETING OF: OCTOBER 1, 2003**

---

**DEPARTMENT: CITY ATTORNEY**

**DIRECTOR: BRADFORD R. JERBIC**

☐

**CONSENT**

☒

**DISCUSSION**

**SUBJECT:**

RECOMMENDING COMMITTEE: BILL ELIGIBLE FOR ADOPTION AT A LATER MEETING:

**Bill No. 2003-76** – Ordinance Creating Special Improvement District No. 1501 – Downtown Street Rehabilitation Phase III Sponsored by: Step Requirement

**Fiscal Impact**

☐

**No Impact**

**Amount:** \$88,986.25

☐

**Budget Funds Available**

**Dept./Division:** Public Works/SID

☒

**Augmentation Required**

**Funding Source:** Capital Projects Fund/Special Assessments

**PURPOSE/BACKGROUND:**

The work is being performed in conjunction with a street rehabilitation project which will include construction and installation of asphalt paving, curb and gutter, sewer main, and streetlights. The District boundaries are Fremont Street on the north, 15th Street on the east, Charleston Boulevard on the south and 13th Street on the west. The District will fund the cost of new streetlights only. Funding for the other project improvements will be provided by Street Rehabilitation and Sanitation.

**RECOMMENDATION:**

ADOPTION at 10/15/2003 City Council meeting pursuant to the 9/29/2003 Recommending Committee.

First Reading – 9/17/2003; First Publication – 10/3/2003

**BACKUP DOCUMENTATION:**

None

**MOTION:**

None required.

**MINUTES:**

Recommendation noted.

10/15/2003 Council Agenda

**AGENDA SUMMARY PAGE**  
**CITY COUNCIL MEETING OF: OCTOBER 1, 2003**

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**DEPARTMENT: CITY ATTORNEY****DIRECTOR: BRADFORD R. JERBIC**☐**CONSENT**☒**DISCUSSION****SUBJECT:**

RECOMMENDING COMMITTEE: BILL ELIGIBLE FOR ADOPTION AT A LATER MEETING:

**Bill No. 2003-77** – Amends child care facility and personnel licensing provisions, and increases the membership of the City Child Care Licensing Board. Proposed by: Mark Vincent, Director of Finance and Business Services

**Fiscal Impact**☒**No Impact****Amount:**☐**Budget Funds Available****Dept./Division:**☐**Augmentation Required****Funding Source:****PURPOSE/BACKGROUND:**

This bill provides that the Child Care Licensing Board (Board) shall have the same number of members as the City Council, with each member of the City Council to appoint one member to the Board subject to Council approval. Final approval authority of child care facility licensees and directors will vest with the Board, with the right of appeal to the City Council being granted to current and prospective licensees. Emergency authority to suspend the licenses of child care facility licensees and approvals of directors will be vested with the Department of Finance and Business Services. Increases in the licensing fees for child care facilities are also being proposed.

**RECOMMENDATION:**

ABEYANCE to 10/13/2003 Recommending Committee meeting pursuant to the 9/29/2003 Recommending Committee.

First Reading – 9/17/2003; First Publication – N/A

**BACKUP DOCUMENTATION:**

None

**MOTION:**

None required.

**MINUTES:**

Recommendation noted.

10/13/2003 Recommending Committee

10/15/2003 Council Agenda

**AGENDA SUMMARY PAGE**  
**CITY COUNCIL MEETING OF: OCTOBER 1, 2003**

---

**DEPARTMENT: CITY ATTORNEY**

**DIRECTOR: BRADFORD R. JERBIC**

☐

CONSENT

☒

DISCUSSION

**SUBJECT:**

NEW BILL:

**Bill No. 2003-78** – Establishes locational restrictions for the uses “auto pawn,” “auto title loan,” and “specified financial institution.” Proposed by: Robert S. Genzer, Director of Planning and Development

**Fiscal Impact**

☒

No Impact

**Amount:**

☐

Budget Funds Available

**Dept./Division:**

☐

Augmentation Required

**Funding Source:**

**PURPOSE/BACKGROUND:**

This bill is intended to establish locational restrictions for the uses “auto pawn,” “auto title loan,” and “specified financial institution.” Such uses will have to be at least one thousand feet from any other such use and at least two hundred feet from residential properties.

**RECOMMENDATION:**

This bill should be submitted to a Recommending Committee for review, hearing, and recommendation to the City Council for final action.

**BACKUP DOCUMENTATION:**

Bill No. 2003-78

**MOTION:**

None required.

**MINUTES:**

First Reading – Referred – COUNCILMEMBERS WEEKLY and MONCRIEF

10/13/2003 Recommending Committee

10/15/2003 Council Agenda

(10:59 – 11:01)

2-784



**AGENDA SUMMARY PAGE**  
**CITY COUNCIL MEETING OF: OCTOBER 1, 2003**

---

**DEPARTMENT: CITY ATTORNEY****DIRECTOR: BRADFORD R. JERBIC**☐**CONSENT**☒**DISCUSSION****SUBJECT:**

NEW BILL:

**Bill No. 2003-79** – Establishes zoning requirements for facilities that provide testing, treatment, or counseling for drug or alcohol abuse or for sex offenses, and updates zoning provisions regarding similar and related uses. Proposed by: Robert S. Genzer, Director of Planning and Development

**Fiscal Impact**☒**No Impact****Amount:**☐**Budget Funds Available****Dept./Division:**☐**Augmentation Required****Funding Source:****PURPOSE/BACKGROUND:**

This bill will establish zoning requirements for facilities that provide testing, treatment, or counseling for drug or alcohol abuse or for sex offenses, and will update zoning provisions regarding similar and related uses. The bill is intended to more precisely define these types of uses so that they can be properly located.

**RECOMMENDATION:**

This bill should be submitted to a Recommending Committee for review, hearing, and recommendation to the City Council for final action.

**BACKUP DOCUMENTATION:**

Bill No. 2003-79

**MOTION:****None required.****MINUTES:**

First Reading – Referred – COUNCILMEMBERS WEEKLY and MONCRIEF

10/13/2003 Recommending Committee

10/15/2003 Council Agenda

(10:59 – 11:01)

2-784

**AGENDA SUMMARY PAGE**  
**CITY COUNCIL MEETING OF: OCTOBER 1, 2003**

---

**DEPARTMENT: CITY ATTORNEY**

**DIRECTOR: BRADFORD R. JERBIC**

☐

**CONSENT**

☒

**DISCUSSION**

**SUBJECT:**

**NEW BILL:**

**Bill No. 2003-80** – Updates enforcement measures and remedies regarding abandoned and inoperable vehicles that are left on private property under certain circumstances. Sponsored by: Councilwoman Janet Moncrief

**Fiscal Impact**

☒

**No Impact**

**Amount:**

☐

**Budget Funds Available**

**Dept./Division:**

☐

**Augmentation Required**

**Funding Source:**

**PURPOSE/BACKGROUND:**

This bill will update enforcement measures and remedies regarding abandoned and inoperable vehicles that are left on private property under certain circumstances. The bill will allow Neighborhood Services to achieve the removal of these vehicles when they are left for extended periods of time within a multifamily residential parking lot and in a location that is visible from public property.

**RECOMMENDATION:**

This bill should be submitted to a Recommending Committee for review, hearing, and recommendation to the City Council for final action.

**BACKUP DOCUMENTATION:**

Bill No. 2003-80

**MOTION:**

**None required.**

**MINUTES:**

First Reading – Referred – COUNCILMEMBERS WEEKLY and MONCRIEF

10/13/2003 Recommending Committee

10/15/2003 Council Agenda

(10:59 – 11:01)

**2-784**

**AGENDA SUMMARY PAGE**  
**CITY COUNCIL MEETING OF: OCTOBER 1, 2003**

---

**DEPARTMENT: FINANCE AND BUSINESS SERVICES****DIRECTOR: MARK R. VINCENT**☐**CONSENT**☒**DISCUSSION****SUBJECT:**

NEW BILL:

**Bill No. 2003-81** – Ordinance authorizing the issuance of City of Las Vegas General Obligation (Limited Tax) Medium-Term Recreation Bonds, Series 2003, not to exceed \$20,000,000 - Ward 4 (Brown)

**Fiscal Impact**☒**No Impact****Amount:**☐**Budget Funds Available****Dept./Division:**☐**Augmentation Required****Funding Source:****PURPOSE/BACKGROUND:**

Pursuant to NRS 268.672 through 268.740, and NRS 350.087 through 350.095, the City is authorized to issue medium-term obligations to finance recreational projects as defined in NRS 268.710. The City intends to use the proceeds of this bond issue to finance a soccer complex.

**RECOMMENDATION:**

This bill should be submitted to a Recommending Committee for review, hearing, and recommendation to the City Council for final action.

**BACKUP DOCUMENTATION:**

Bill No. 2003-81

**MOTION:**

None required.

**MINUTES:**

First Reading – Referred – COUNCILMEMBERS WEEKLY and MONCRIEF

10/13/2003 Recommending Committee

10/15/2003 Council Agenda

(10:59 – 11:01)

2-784

**AGENDA SUMMARY PAGE**  
**CITY COUNCIL MEETING OF: OCTOBER 1, 2003**

---

**DEPARTMENT: CITY ATTORNEY****DIRECTOR: BRADFORD R. JERBIC**☐**CONSENT**☒**DISCUSSION****SUBJECT:**

NEW BILL:

**Bill No. 2003-82** – Establishes a traffic signal impact fee program for the City pursuant to State law. Proposed by: Richard D. Goecke, Director of Public Works

**Fiscal Impact**☒**No Impact****Amount:**☐**Budget Funds Available****Dept./Division:**☐**Augmentation Required****Funding Source:****PURPOSE/BACKGROUND:**

This bill will establish a traffic signal impact fee program as authorized by State law. Under the program, new development will contribute moneys to help fund the installation of traffic signals. The contribution in each case will be in accordance with a fee schedule to be adopted by the City Council. Fee amounts will correspond to the land use assumptions and capital improvements plan that have been adopted by the Council.

**RECOMMENDATION:**

This bill should be submitted to a Recommending Committee for review, hearing, and recommendation to the City Council for final action.

**BACKUP DOCUMENTATION:**

Bill No. 2003-82

**MOTION:****None required.****MINUTES:**

First Reading – Referred – COUNCILMEMBERS WEEKLY and MONCRIEF

10/13/2003 Recommending Committee

10/15/2003 Council Agenda

(10:59 – 11:01)

2-784

**THE MORNING SESSION RECESSED AT 11:01 A.M., RECONVENED AT 11:24 A.M.  
TO CONSIDER ITEM 64, AND RECESSED AGAIN AT 11:33 A.M.**

**AGENDA SUMMARY PAGE**  
**CITY COUNCIL MEETING OF: OCTOBER 1, 2003**

---

**DEPARTMENT: CITY CLERK**

**DIRECTOR: BARBARA JO (RONI) RONEMUS** ☐ **CONSENT** ☐ **DISCUSSION**

**SUBJECT:**

Any items from the afternoon session that the Council, staff and/or the applicant wish to be stricken or held in abeyance to a future meeting may be brought forward and acted upon at this time

**MOTION:**

**REESE – Motion to HOLD IN ABEYANCE Item 114 [RQR-2792] to 10/15/2003, Item 131 [ZON-2457] and Item 132 [SDR-2458] to 11/5/2003 – UNANIMOUS**

**MINUTES:**

There was no discussion.

(1:03 – 1:12)

**3-8**

**AGENDA SUMMARY PAGE**  
**CITY COUNCIL MEETING OF: OCTOBER 1, 2003**

---

**DEPARTMENT: PLANNING AND DEVELOPMENT**

**DIRECTOR: ROBERT S. GENZER**

PLANNING & DEVELOPMENT DEPARTMENT PM SESSION INDEX:

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**83 ABEYANCE ITEM - EOT-2622** - The Springs on behalf of Southern California Presbyterian Homes
- EXTENSION OF TIME RELATED TO EOT-2622 - SITE DEVELOPMENT PLAN REVIEW  
**84 ABEYANCE ITEM - EOT-2623** - The Springs on behalf of Southern California Presbyterian Homes
- EXTENSION OF TIME - SPECIAL USE PERMIT  
**85 EOT-2742** - Albertson's, Inc.
- EXTENSION OF TIME - REZONING  
**86 EOT-2756** - Desert Inn Commercial, Limited Liability Company
- EXTENSION OF TIME - VARIANCE  
**87 EOT-2778** - Cantwell Anderson, Inc. on behalf of Las Vegas B.P.O. Elks Lodge #1468

***DISCUSSION/ACTION ITEMS***

- REVIEW OF CONDITION - PUBLIC HEARING  
**88 ROC-2788** - Perma-Bilt Homes on behalf of LM Las Vegas, Limited Liability Company  
**89 ROC-2882** - Costco Wholesale
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**90 SDR-2585** - Green Harrington & Howell, Limited Liability Company on behalf of Wells Fargo Bank  
**91 SDR-2766** - Roohani Rustam & Shahnaz Trust  
**92 SDR-2784** - Paul Kellogg on behalf of Aquarius, Limited Liability Company
- MAJOR MODIFICATION TO THE LONE MOUNTAIN MASTER PLAN - PUBLIC HEARING  
**93 MOD-2813** - RL Homes, Limited Liability Company on behalf of Tran Nhu Thi

# City of Las Vegas

PLANNING & DEVELOPMENT - Page Two

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City Council Meeting of October 1, 2003

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- 94 **ZON-2771** - RL Homes, Limited Liability Company on behalf of Tran Nhu Thi
- SITE DEVELOPMENT PLAN REVIEW RELATED TO MOD-2813 AND ZON-2771 - PUBLIC HEARING
- 95 **SDR-2772** - RL Homes, Limited Liability Company on behalf of Tran Nhu Thi
- MASTER SIGN PLAN - PUBLIC HEARING
- 96 **MSP-2763** - First American Equities on behalf of Ronald J. Richardson
- 97 **MSP-2764** - First American Equities on behalf of Ronald J. Richardson
- 98 **MSP-2804** - Rajesh Patel on behalf of Suerte Corporation
- VACATION - PUBLIC HEARING
- 99 **ABEYANCE ITEM - VAC-2593** - Coleman Toll, Limited Partnership
- 100 **VAC-2680** - Perma-Bilt Homes
- 101 **VAC-2738** - Avante Homes
- 102 **VAC-2743** - Stanpark Homes
- 103 **VAC-2749** - L M Las Vegas, Limited Liability Company
- 104 **VAC-2752** - Peccole Nevada Corporation
- REQUIRED THREE YEAR REVIEW - VARIANCE - PUBLIC HEARING
- 105 **RQR-2785** - Rancho Oasis, Limited Partnership
- VARIANCE - PUBLIC HEARING
- 106 **VAR-2765** - Trinity United Methodist Church
- 107 **VAR-2782** - Ernest A. Becker, IV and Kathleen C. Becker Family Trust
- SPECIAL USE PERMIT RELATED TO VAR-2782 - PUBLIC HEARING
- 108 **SUP-2541** - Ernest A. Becker, IV and Kathleen C. Becker Family Trust
- 109 **SUP-2543** - Ernest A. Becker, IV and Kathleen C. Becker Family Trust
- 110 **SUP-2544** - Ernest A. Becker, IV and Kathleen C. Becker Family Trust
- 111 **SUP-2545** - Ernest A. Becker, IV and Kathleen C. Becker Family Trust
- SITE DEVELOPMENT PLAN REVIEW RELATED TO VAR-2782, SUP-2541, SUP-2543, SUP-2544 AND SUP-2545 - PUBLIC HEARING
- 112 **SDR-2540** - Ernest A. Becker, IV and Kathleen C. Becker Family Trust
- REQUIRED ONE YEAR REVIEW - SPECIAL USE PERMIT - PUBLIC HEARING
- 113 **RQR-2790** - Clear Channel Outdoor on behalf of Mini-Masters, Inc.
- 114 **RQR-2792** - Sensation Spa of Nevada on behalf of Howard Johnson

# City of Las Vegas

PLANNING & DEVELOPMENT - Page Three

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City Council Meeting of October 1, 2003

## REQUIRED TWO YEAR REVIEW - SPECIAL USE PERMIT - PUBLIC HEARING

115 **RQR-2814** - Fletcher Jones

## SPECIAL USE PERMIT - PUBLIC HEARING

116 **ABEYANCE ITEM - SUP-2655** - Cashback Payday Loans on behalf of Sahara Pavilion North U.S., Inc.

117 **ABEYANCE ITEM - SUP-2656** - Hector Daniel Hiraes on behalf of 1997 Aner Iglesias Family Trust, et al

118 **SUP-2683** - Ruben Gonzalez on behalf of Miguel Family Trust 1993, et al

119 **SUP-2733** - Artisan Hotel & Spa, Limited Liability Company

120 **SUP-2734** - Linda J. Haney on behalf of Great American Plaza, Limited Liability Company

121 **SUP-2740** - Prosper Samuel Mintz

122 **SUP-2745** - Raul Arteaga, D.V.M., Limited

## SITE DEVELOPMENT PLAN REVIEW RELATED TO SUP-2745 - PUBLIC HEARING

123 **SDR-2744** - Raul Arteaga, D.V.M., Limited

## SPECIAL USE PERMIT - PUBLIC HEARING

124 **SUP-2758** - Reagan National Advertising on behalf of Cog III, Limited

125 **SUP-2768** - Hee Seung Jung on behalf of Village Square, Limited Liability Company

126 **SUP-2769** - Dome, Limited Liability Company

127 **SUP-2777** - 36 Acre, Limited Liability Company on behalf of Durango 215, Limited Liability Company

## SITE DEVELOPMENT PLAN REVIEW RELATED TO SUP-2777 - PUBLIC HEARING

128 **SDR-2776** - 36 Acre, Limited Liability Company on behalf of Durango 215, Limited Liability Company

## SPECIAL USE PERMIT - PUBLIC HEARING

129 **SUP-2787** - West Coast Financial Group, Limited Liability Company on behalf of Pine Development, Inc.

130 **SUP-2794** - Boca Park Marketplace, Limited Liability Company

## REZONING - PUBLIC HEARING

131 **ABEYANCE ITEM - ZON-2457** - Donna F. Beam Revocable Trust



# City of Las Vegas

PLANNING & DEVELOPMENT - Page Four

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City Council Meeting of October 1, 2003

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- 132 **ABEYANCE ITEM - SDR-2458** - Donna F. Beam Revocable Trust
- REZONING - PUBLIC HEARING
- 133 **ZON-2624** - Nevada Homes Group on behalf of Albert D. and Eileen F. Massi and Don Nobis
- VARIANCE RELATED TO ZON-2624 - PUBLIC HEARING
- 134 **VAR-2626** - Nevada Homes Group on behalf of Albert D. and Eileen F. Massi and Don Nobis
- SITE DEVELOPMENT PLAN REVIEW RELATED TO ZON-2624 AND VAR-2626 - PUBLIC HEARING
- 135 **SDR-2625** - Nevada Homes Group on behalf of Albert D. and Eileen F. Massi and Don Nobis
- WAIVER OF TITLE 18 REQUIREMENTS - PUBLIC HEARING
- 136 **WVR-2811** - Nevada Homes Group on behalf of Albert D. and Eileen F. Massi and Don Nobis
- GENERAL PLAN AMENDMENT - PUBLIC HEARING
- 137 **TABLED ITEM - GPA-2497** - City of Las Vegas
- 138 **GPA-2516** - City of Las Vegas
- REZONING RELATED TO GPA-2516 - PUBLIC HEARING
- 139 **ZON-2526** - City of Las Vegas

**AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT**

**CITY COUNCIL MEETING OF: OCTOBER 1, 2003**

**DEPARTMENT: PLANNING & DEVELOPMENT**

**DIRECTOR: ROBERT S. GENZER**

☒

**CONSENT**

☐

**DISCUSSION**

**SUBJECT:**

**ABEYANCE ITEM** - EXTENSION OF TIME - REZONING - EOT-2622 - THE SPRINGS ON BEHALF OF SOUTHERN CALIFORNIA PRESBYTERIAN HOMES - Request for an Extension of Time on an approved Rezoning (Z-0028-01) FROM: U (Undeveloped) [PCD (Planned Community Development) General Plan Designation] TO: PD (Planned Development) on 9.14 acres adjacent to the north side of the Gilmore Avenue alignment, west of the Western Beltway alignment (APN:137-12-101-012, 013 and 015), Ward 4 (Brown). The Planning Commission (6-0 vote) and staff recommend APPROVAL

**PROTESTS RECEIVED BEFORE:**

**Planning Commission Mtg.**  
**City Council Meeting**

<b>0</b>
<b>0</b>

**APPROVALS RECEIVED BEFORE:**

**Planning Commission Mtg.**  
**City Council Meeting**

<b>0</b>
<b>0</b>

**RECOMMENDATION:**

The Planning Commission (6-0 vote) and staff recommend APPROVAL, subject to conditions.

**BACKUP DOCUMENTATION:**

1. Location Map
2. Conditions For This Application
3. Staff Report

**MOTION:**

**REESE – APPROVED Item 83 [EOT-2622], Item 84 [EOT-2623], Item 85 [EOT-2742], Item 86 [EOT-2756] and Item 87 [EOT-2778] subject to conditions – UNANIMOUS**

**MINUTES:**

There was no discussion.

(1:05)

**3-39**

**CONDITIONS:**

Planning and Development

1. This Extension of Time will expire on July 5, 2005 unless another Extension of Time is approved by the City Council.
2. Conformance to the conditions of approval for Rezoning (Z-0028-01) and all other subsequent site related actions as required by the Planning and Development Department and Department of Public Works.

CITY COUNCIL MEETING OF OCTOBER 1, 2003  
Planning and Development Department  
Item 83 – EOT-2622

**CONDITIONS – Continued:**

Public Works

3. Coordinate with the developer of the property to the south to terminate Gilmore Avenue in a manner and at a location acceptable to the City Engineer prior to the submittal of construction drawings for this site.

**AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT**  
**CITY COUNCIL MEETING OF: OCTOBER 1, 2003**

**DEPARTMENT: PLANNING & DEVELOPMENT**

**DIRECTOR: ROBERT S. GENZER**

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**CONSENT**

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**DISCUSSION**

**SUBJECT:**

**ABEYANCE ITEM** - EXTENSION OF TIME RELATED TO EOT-2622 - SITE DEVELOPMENT PLAN REVIEW - **EOT-2623 - THE SPRINGS ON BEHALF OF SOUTHERN CALIFORNIA PRESBYTERIAN HOMES** - Request for an Extension of Time on an approved Site Development Plan Review [Z-0028-01(1)] FOR A PROPOSED 340-UNIT SENIOR LIVING FACILITY on approximately 30 acres adjacent to the north side of the Gilmore Avenue alignment, west of the Western Beltway alignment (APN: 137-12-101-004, 005, 006, 010, 012, 013 and 015), U (Undeveloped) Zone [PCD (Planned Community Development) General Plan Designation] under Resolution of Intent to PD (Planned Development) Zone, Ward 4 (Brown). The Planning Commission (6-0 vote) and staff recommend APPROVAL

**PROTESTS RECEIVED BEFORE:**

**Planning Commission Mtg.**  
**City Council Meeting**

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**APPROVALS RECEIVED BEFORE:**

**Planning Commission Mtg.**  
**City Council Meeting**

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**RECOMMENDATION:**

The Planning Commission (6-0 vote) and staff recommend APPROVAL, subject to conditions.

**BACKUP DOCUMENTATION:**

1. Location Map
2. Conditions For This Application
3. Staff Report

**MOTION:**

**REESE – APPROVED Item 83 [EOT-2622], Item 84 [EOT-2623], Item 85 [EOT-2742], Item 86 [EOT-2756] and Item 87 [EOT-2778] subject to conditions – UNANIMOUS**

**MINUTES:**

There was no discussion.

(1:05)  
**3-39**

**CONDITIONS:**

Planning and Development

1. This Extension of Time shall expire July 5, 2005 unless it is exercised or an Extension of Time is granted by the City Council.

CITY COUNCIL MEETING OF OCTOBER 1, 2003  
Planning and Development Department  
Item 84 – EOT-2623

**CONDITIONS – Continued:**

2. Conformance to all applicable conditions of approval for Site Development Plan Review [Z-0028-01(1)] and all other subsequent site related actions as required by the Planning and Development Department and Department of Public Works.
3. The site plan shall be revised and approved by Planning and Development Department staff, prior to the time application is made for a building permit, to show the location of the proposed multi-use transportation trail along the east property line of this development, as depicted on Map No. 2 of the Interlocal Agreement Joint Use Parks and Trails Plan. This trail shall be developed in conformance with Exhibit 1 of the Transportation Trails Element of the Las Vegas 2020 Master Plan.

**AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT**

**CITY COUNCIL MEETING OF: OCTOBER 1, 2003**

**DEPARTMENT: PLANNING & DEVELOPMENT**

**DIRECTOR: ROBERT S. GENZER**

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**CONSENT**

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**DISCUSSION**

**SUBJECT:**

EXTENSION OF TIME - SPECIAL USE PERMIT - EOT-2742 - ALBERTSONS, INC. - Request for an Extension of Time of an approved Special Use Permit [U-0039-00(1)] WHICH ALLOWED THE SALE OF PACKAGED LIQUOR IN CONJUNCTION WITH A PROPOSED 15,120 SQUARE FOOT DRUG STORE at the northwest corner of Grand Teton Drive and Durango Drive (APN: 125-08-813-002), U (Undeveloped) Zone [PCD (Planned Community Development) General Plan Designation] under Resolution of Intent to C-1 (Limited Commercial), Ward 6 (Mack). The Planning Commission (6-0 vote) and staff recommend APPROVAL

**PROTESTS RECEIVED BEFORE:**

Planning Commission Mtg.  
City Council Meeting

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**APPROVALS RECEIVED BEFORE:**

Planning Commission Mtg.  
City Council Meeting

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**RECOMMENDATION:**

The Planning Commission (6-0 vote) and staff recommend APPROVAL, subject to conditions.

**BACKUP DOCUMENTATION:**

1. Location Map
2. Conditions For This Application
3. Staff Report

**MOTION:**

REESE – APPROVED Item 83 [EOT-2622], Item 84 [EOT-2623], Item 85 [EOT-2742], Item 86 [EOT-2756] and Item 87 [EOT-2778] subject to conditions – UNANIMOUS

**MINUTES:**

There was no discussion.

(1:05)

3-39

**CONDITIONS:**

Planning and Development

1. This Extension of Time shall expire on May 17, 2004 unless it is exercised or an Extension of Time is granted by the City Council.
2. Compliance with all Conditions of Approval of Special Use Permit (U-0039-00) and Site Development Plan Review (SD-0031-99).

**AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT**

**CITY COUNCIL MEETING OF: OCTOBER 1, 2003**

**DEPARTMENT: PLANNING & DEVELOPMENT**

**DIRECTOR: ROBERT S. GENZER**

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**CONSENT**

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**DISCUSSION**

**SUBJECT:**

EXTENSION OF TIME - REZONING - EOT-2756 - DESERT INN COMMERCIAL, LIMITED LIABILITY COMPANY - Request for an Extension of Time of an approved Rezoning [Z-0094-84(4)] FROM: U (Undeveloped) [M (Medium Density Residential) General Plan Designation] TO: C-1 (Limited Commercial) on 5.62 acres between U.S. 95 and Rock Springs Drive, approximately 630 feet south of Lake Mead Boulevard (APN: 138-22-702-002), Ward 4 (Brown). The Planning Commission (6-0 vote) and staff recommend APPROVAL

**PROTESTS RECEIVED BEFORE:**

Planning Commission Mtg.  
City Council Meeting

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**APPROVALS RECEIVED BEFORE:**

Planning Commission Mtg.  
City Council Meeting

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**RECOMMENDATION:**

The Planning Commission (6-0 vote) and staff recommend APPROVAL, subject to conditions.

**BACKUP DOCUMENTATION:**

1. Location Map
2. Conditions For This Application
3. Staff Report

**MOTION:**

REESE – APPROVED Item 83 [EOT-2622], Item 84 [EOT-2623], Item 85 [EOT-2742], Item 86 [EOT-2756] and Item 87 [EOT-2778] subject to conditions – UNANIMOUS

**MINUTES:**

There was no discussion.

(1:05)  
3-39

**CONDITIONS:**

Planning and Development

1. This Extension of Time shall expire on August 24, 2005 unless it is exercised or an Extension of Time is granted by the City Council.
2. In accordance with Condition #2 and #3 of Rezoning (Z-0094-84), a Site Development Plan Review application shall be submitted and approved by the Planning Commission and City Council as a public hearing item prior to issuance of any site grading or development activity on the site.

**AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT**

**CITY COUNCIL MEETING OF: OCTOBER 1, 2003**

**DEPARTMENT: PLANNING & DEVELOPMENT**

**DIRECTOR: ROBERT S. GENZER**

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**CONSENT**

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**DISCUSSION**

**SUBJECT:**

EXTENSION OF TIME - VARIANCE - EOT-2778 - CANTWELL ANDERSON, INC. ON BEHALF OF LAS VEGAS B.P.O. ELKS LODGE #1468 - Request for an Extension of Time of an approved Variance (V-0042-02) WHICH ALLOWED 159 PARKING SPACES WHERE 306 PARKING SPACES ARE THE MINIMUM REQUIRED FOR A PROPOSED SINGLE ROOM OCCUPANCY RESIDENCE at 525 East Bonanza Road (APN: 139-27-805-003), C-2 (General Commercial) Zone, Ward 5 (Weekly). The Planning Commission (6-0 vote) and staff recommend APPROVAL

**PROTESTS RECEIVED BEFORE:**

Planning Commission Mtg.  
City Council Meeting

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**APPROVALS RECEIVED BEFORE:**

Planning Commission Mtg.  
City Council Meeting

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**RECOMMENDATION:**

The Planning Commission (6-0 vote) and staff recommend APPROVAL, subject to conditions.

**BACKUP DOCUMENTATION:**

1. Location Map
2. Conditions For This Application
3. Staff Report

**MOTION:**

REESE – APPROVED Item 83 [EOT-2622], Item 84 [EOT-2623], Item 85 [EOT-2742], Item 86 [EOT-2756] and Item 87 [EOT-2778] subject to conditions – UNANIMOUS

**MINUTES:**

There was no discussion.

(1:05)

3-39

**CONDITIONS:**

Planning and Development

1. This Extension of Time of an approved Variance shall expire on August 21, 2004 unless it is exercised or an Extension of Time is granted by the City Council.
2. Conformance to the Conditions of Approval for Special Use Permit (U-0077-02), Variance (V-0042-02), and Site Development Plan Review [Z-0076-83(2)].



**AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT**  
**CITY COUNCIL MEETING OF: OCTOBER 1, 2003**

**DEPARTMENT: PLANNING & DEVELOPMENT**

**DIRECTOR: ROBERT S. GENZER**

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**CONSENT**

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**DISCUSSION**

**SUBJECT:**

REVIEW OF CONDITION - PUBLIC HEARING - **ROC-2788 - PERMA-BILT HOMES ON BEHALF OF LM LAS VEGAS, LIMITED LIABILITY COMPANY** - Request for a Review of Condition No. 5 of an approved Site Development Plan Review (SDR-1336) TO MODIFY THE SETBACK REQUIREMENTS to include a 14-foot front yard setback FOR SIDE-LOADED GARAGES IN AN APPROVED RESIDENTIAL DEVELOPMENT on 20.16 acres adjacent to the southeast corner of Grand Canyon Drive and Elkhorn Road (APN: 125-19-501-001, 002, 003, 004 and 005), U (Undeveloped) Zone [R (Rural Density Residential) and L (Low Density Residential) General Plan Designation] under Resolution of Intent to R-PD3 (Residential Planned Development - 3 Units Per Acre), Ward 6 (Mack). The Planning Commission (6-0 vote) and staff recommend APPROVAL

**PROTESTS RECEIVED BEFORE:**

**Planning Commission Mtg.**  
**City Council Meeting**

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**APPROVALS RECEIVED BEFORE:**

**Planning Commission Mtg.**  
**City Council Meeting**

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**RECOMMENDATION:**

The Planning Commission (6-0 vote) and staff recommend APPROVAL, subject to conditions.

**BACKUP DOCUMENTATION:**

1. Location Map
2. Conditions For This Application
3. Staff Report

**MOTION:**

**MACK – APPROVED subject to conditions – UNANIMOUS**

**MINUTES:**

MAYOR GOODMAN declared the Public Hearing open.

BRENT WILSON, VTN Nevada, 2727 South Rainbow Boulevard, appeared on behalf of the applicant and concurred with staff recommendations.

No one appeared in opposition.

CITY COUNCIL MEETING OF OCTOBER 1, 2003  
Planning and Development Department  
Item 88 – EOT-2778

**MINUTES – Continued:**

There was no further discussion.

MAYOR GOODMAN declared the Public Hearing closed.

(1:05 – 1:06)

**3-54**

**CONDITIONS:**

Planning and Development

1. Condition of Approval Number 5 of Site Development Plan Review (SDR-1336) shall be amended to read as follows:

The setbacks for this development shall be a minimum of 18 feet to the front of the front-loaded garages and 14 feet to the front of the side-loaded garages as measured from back of sidewalk or from back of curb if no sidewalk is provided, 5 feet on the side, 10 feet on the corner side and 15 feet in the rear.

2. Driveways are required to be a minimum distance of 18 feet to prevent a car in the driveway from encroaching into the vehicular or pedestrian travel corridor.
3. Site Development to comply with all applicable conditions of approval for the Elkhorn/Grand Canyon subdivision and all other subsequent site-related actions.
4. All City Code requirements and design standards of all City departments must be satisfied.

**AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT**  
**CITY COUNCIL MEETING OF: OCTOBER 1, 2003**

**DEPARTMENT: PLANNING & DEVELOPMENT**

**DIRECTOR: ROBERT S. GENZER**

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CONSENT

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DISCUSSION

**SUBJECT:**

REVIEW OF CONDITION - PUBLIC HEARING - ROC-2882 - COSTCO WHOLESALE - Request for a Review of Condition No. 1 of an approved Special Use Permit (U-0171-00) WHICH LIMITED DELIVERIES TO THE HOURS BETWEEN 6:00 A.M. AND NOON at 801 South Pavilion Center Drive (APN: 137-35-714-001), P-C (Planned Community) Zone, Ward 2 (L.B. McDonald). Staff recommends APPROVAL

**PROTESTS RECEIVED BEFORE:**

Planning Commission Mtg.  
 City Council Meeting

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**APPROVALS RECEIVED BEFORE:**

Planning Commission Mtg.  
 City Council Meeting

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**RECOMMENDATION:**

Staff recommends APPROVAL, subject to conditions.

**BACKUP DOCUMENTATION:**

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Submitted after final agenda – Protest letter from James Coniglio

**MOTION:**

**L.B. McDONALD – APPROVED subject to conditions, amending Condition 1 as follows:**

1. Condition Number 1 of U-0171-00 shall be amended as follows: “The delivery of packaged liquor shall be between the hours of 6:00 a.m. to 9:00 p.m. to coincide with the delivery hours of the retail use.”

**And the following added condition:**

- *Amended Condition No. 1 shall be reviewed in six months.*

**– UNANIMOUS**

**MINUTES:**

MAYOR GOODMAN declared the Public Hearing open.

TOM BURBA, 1304 Autumn Wind Way, appeared on behalf of the applicant. He explained it has become difficult to operate the business with restricted delivery hours. They have had the restricted schedule for two years.

CITY COUNCIL MEETING OF October 1, 2003  
Planning and Development Department  
Item 89 – ROC-2882

**MINUTES – Continued:**

COUNCILWOMAN McDONALD asked the applicant if he would accept the extension to 6:00 p.m. MR. BURBA replied that those hours would not work because their distribution center trucks come from Tucson, Arizona, and adequate travel time is needed. The trucks will be unloaded at night rather than in the morning. COUNCILWOMAN McDONALD granted the extension to 9:00 p.m. with a six-month review.

No one appeared in opposition.

There was no further discussion.

MAYOR GOODMAN declared the Public Hearing closed.

(1:06 – 1:08)

**3-86**

**CONDITIONS:**

1. Condition Number 1 of U-0171-00 shall be amended as follows: “The delivery of packaged liquor shall be between the hours of 6:00 a.m. and 6:00 p.m. to coincide with the delivery hours of the retail use.”
2. This Review of Condition shall be subject to a Required One Year Review as a public hearing before the City Council.

**AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT**

**CITY COUNCIL MEETING OF: OCTOBER 1, 2003**

**DEPARTMENT: PLANNING & DEVELOPMENT**

**DIRECTOR: ROBERT S. GENZER**

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**CONSENT**

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**DISCUSSION**

**SUBJECT:**

SITE DEVELOPMENT PLAN REVIEW - PUBLIC HEARING - **SDR-2585 - GREEN HARRINGTON & HOWELL, LIMITED LIABILITY COMPANY ON BEHALF OF WELLS FARGO BANK** - Request for a Site Development Plan Review FOR A PROPOSED 9,968 SQUARE FOOT RETAIL BUILDING (FAMILY DOLLAR); AND A REDUCTION IN THE AMOUNT OF PERIMETER AND PARKING LOT LANDSCAPING on 1.09 acres adjacent to the north side of Charleston Boulevard, approximately 300 feet west of Mohawk Street (APN: 138-36-408-010), R-1 (Single Family Residential) Zone under Resolution of Intent to C-1 (Limited Commercial), Ward 1 (Moncrief). Staff recommends DENIAL. The Planning Commission (6-0 vote) recommends APPROVAL

**PROTESTS RECEIVED BEFORE:**

**Planning Commission Mtg.**  
**City Council Meeting**

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**APPROVALS RECEIVED BEFORE:**

**Planning Commission Mtg.**  
**City Council Meeting**

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**RECOMMENDATION:**

Staff recommends DENIAL. The Planning Commission (6-0 vote) recommends APPROVAL, subject to conditions.

**BACKUP DOCUMENTATION:**

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Back up referenced from the 8/28/2003 Planning Commission meeting Item 24

**MOTION:**

**MONCRIEF – APPROVED subject to conditions – UNANIMOUS**

**MINUTES:**

MAYOR GOODMAN declared the Public Hearing open.

PAUL KENNEDY, 1242 Jessie Road, Henderson, appeared on behalf of Green Harrington and requested the Council's approval.

TODD FARLOW, 240 North 19<sup>th</sup> Street, stated that with the widening of Martin Luther King Boulevard the landscaping will be reduced even further than what is shown.

COUNCILWOMAN MONCRIEF indicated she toured the site and that this parcel has been vacant for some time. It will be a great addition to the neighborhood and only a small finger of landscaping will be eliminated.

CITY COUNCIL MEETING OF October 1, 2003  
Planning and Development Department  
Item 90 – SDR-2585

**MINUTES – Continued:**

There was no further discussion.

MAYOR GOODMAN declared the Public Hearing closed.

(1:08 – 1:10)

**3-141**

**CONDITIONS:**

Planning and Development

1. The site plan shall be revised and submitted to the Planning and Development Department for review and approval, prior to the time application is made for a building permit, to reflect compliance with minimum on-site parking requirements, execute an off-site parking agreement satisfactory to Title 19.10.010 H., or obtain approval of a variance request from City Council to allow for a reduction in the amount of on-site parking requirements.
2. This Site Development Plan Review shall expire two years from date of final approval unless it is exercised or an Extension of Time is granted by the City Council.
3. All perimeter landscape planters shall include 24-inch box trees and 5-gallon shrubs in compliance with minimum standards of Title 19.12.060.
4. Where required parking lot landscape fingers are not present, the required 24-inch box tree shall be added to the nearest perimeter landscape planter.
5. Landscaping and a permanent underground sprinkler system shall be installed as required by the Planning Commission or City Council and shall be permanently maintained in a satisfactory manner. Failure to properly maintain required landscaping and underground sprinkler systems shall be cause for revocation of a business license.
6. A landscaping plan must be submitted prior to or at the same time application is made for a building permit.
7. All mechanical equipment, air conditioners and trash areas shall be fully screened in views from the abutting streets and residential zoned properties.
8. Trash enclosures shall have solid metal gates, a roof, and match the color and building finish of the main structure as required by Title 19.08.45

CITY COUNCIL MEETING OF October 1, 2003  
Planning and Development Department  
Item 90 – SDR-2585

**CONDITIONS – Continued:**

9. Parking lot lighting standards shall be no more than 20 feet in height and shall utilize ‘shoe-box’ fixtures and downward-directed lights. Wall pack lighting shall utilize ‘shoe-box’ fixtures and downward-directed lights on the proposed building. All lighting shall be directed away from residential property or screened, and shall not create fugitive lighting on adjacent properties.
10. All utility boxes exceeding 27 cubic feet in size shall meet the standards of Title 19.12.050.
11. All development shall be in conformance with the site plan and building elevations, except as amended by conditions herein.
12. A fully operational fire protection system, including fire apparatus roads, fire hydrants and water supply, shall be installed and shall be functioning prior to construction of any combustible structures.
13. All City Code requirements and design standards of all City departments must be satisfied.

**Public Works**

14. Meet with the Traffic Engineering Representative in Land Development for assistance in the possible redesign of the proposed driveway access, on site circulation and parking lot layout prior to the submittal of any construction plans or the issuance of any permits, whichever may occur first. Any new or modifications to existing driveways shall be designed, located and constructed in accordance with Standard Drawing #222A.
15. Remove all substandard public street improvements, if any, adjacent to this site and replace with new improvements meeting current City Standards concurrent with on-site development activities.
16. Provide a copy of a recorded Joint Access and Parking Agreement between this site and the adjoining parcel to the east prior to the issuance of any permits.
17. A Traffic Impact Analysis must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits, or the submittal of any construction drawings for this site. Comply with the recommendations of the approved Traffic Impact Analysis prior to occupancy of the site. The City shall

CITY COUNCIL MEETING OF October 1, 2003  
Planning and Development Department  
Item 90 – SDR-2585

**CONDITIONS – Continued:**

determine area traffic mitigation contribution requirements based upon information provided in the approved Traffic Impact Analysis; such monies shall be contributed prior to the issuance of any permits for this site. The Traffic Impact Analysis shall also include a section addressing Standard Drawings #234.1 #234.2 and #234.3 to determine additional right-of-way requirements for bus turnouts adjacent to this site, if any; dedicate all areas recommended by the approved Traffic Impact Analysis. All additional rights-of-way required by Standard Drawing #201.1 for exclusive right turn lanes and dual left turn lanes shall be dedicated prior to or concurrent with the commencement of on-site development activities unless specifically noted as not required in the approved Traffic Impact Analysis. Phased compliance will be allowed if recommended by the approved Traffic Impact Analysis. No recommendation of the approved Traffic Impact Analysis, nor compliance therewith, shall be deemed to modify or eliminate any condition of approval imposed by the Planning Commission or the City Council on the development of this site.

Alternatively, in lieu of a Traffic Impact Analysis, the applicant may participate in a reasonable alternative mutually acceptable to the applicant and the Department of Public Works.

18. Meet with the Flood Control Section of Public Works to determine appropriate elevations and drainage flow paths prior to the submittal of any construction drawings for this site.



**AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT**  
**CITY COUNCIL MEETING OF: OCTOBER 1, 2003**

**DEPARTMENT: PLANNING & DEVELOPMENT**

**DIRECTOR: ROBERT S. GENZER**

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**CONSENT**

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**DISCUSSION**

**SUBJECT:**

SITE DEVELOPMENT PLAN REVIEW - PUBLIC HEARING - **SDR-2766 - ROOHANI RUSTAM & SHAHNAZ TRUST** - Request for a Site Development Plan Review FOR A PROPOSED 10,500 SQUARE FOOT RETAIL BUILDING AND FOR A REDUCTION IN PERIMETER AND PARKING LOT LANDSCAPING on 0.92 acres adjacent to North Lamb Boulevard, approximately 140 feet north of East Bonanza Road (APN: 140-30-803-009), R-E (Residence Estates) Zone under Resolution of Intent to C-1 (Limited Commercial), Ward 3 (Reese). The Planning Commission (6-0 vote) and staff recommend APPROVAL

**PROTESTS RECEIVED BEFORE:**

**Planning Commission Mtg.**  
**City Council Meeting**

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**APPROVALS RECEIVED BEFORE:**

**Planning Commission Mtg.**  
**City Council Meeting**

<b>0</b>
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**RECOMMENDATION:**

The Planning Commission (6-0 vote) and staff recommend APPROVAL, subject to conditions.

**BACKUP DOCUMENTATION:**

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Back up referenced from the 8/28/2003 Planning Commission meeting Item 57

**MOTION:**

**REESE – APPROVED subject to conditions – UNANIMOUS**

NOTE: A motion for reconsideration by COUNCILMAN REESE rescinded his initial motion to hold the item in abeyance to 10/15/2003. Both motions carried unanimously

**MINUTES:**

MAYOR GOODMAN declared the Public Hearing open.

The applicant was not present.

COUNCILMAN REESE verified that staff was not aware of the reason for the applicant's absence. Therefore, he requested that the item be held in abeyance. However, when MR. RUSTAM ROOHANI, 3741 Westwind Drive, later appeared, COUNCILMAN REESE recalled the item for discussion.

CITY COUNCIL MEETING OF October 1, 2003  
Planning and Development Department  
Item 91 – SDR-2766

**MINUTES – Continued:**

MARGO WHEELER, Deputy Director, Planning and Development Department, clarified for COUNCILMAN REESE that the total amount of landscaping exceeds the code requirements. The issue is the location of the landscaping. However, the landscaping is adequate.

No one appeared in opposition.

There was no further discussion.

MAYOR GOODMAN declared the Public Hearing closed.  
(1:10 – 1:11/1:34 – 1:38)  
**3-203/3-1008**

**CONDITIONS:**

Planning and Development

1. This Site Development Plan Review shall expire two years from date of final approval unless it is exercised or an Extension of Time is granted by the City Council.
2. Site development to comply with all applicable conditions of approval for Zoning Reclassification Z-138-97 and all other subsequent site-related actions.
3. All development shall be in conformance with the site plan and building elevations, except as amended by conditions herein.
4. Wall signage shall be restricted to the northern and eastern elevations only.
5. The site plan shall be revised and approved by the Planning and Development Department, prior to the time application is made for a building permit, to reflect a minimum 6-foot, 5-inch landscape planter along the northern property line.
6. Prior to the submittal of a building permit, the applicant shall meet with Planning and Development Department staff to develop a comprehensive address plan for the subject site. A copy of the approved address plan shall be submitted with any future building permit applications related to the site.
7. The landscape plan shall match the submitted plan in terms of plant sizes and quantities with the addition of ground cover and a minimum of 5-gallon shrub sizes as required by Title 19.12.

CITY COUNCIL MEETING OF October 1, 2003  
Planning and Development Department  
Item 91 – SDR-2766

**CONDITIONS – Continued:**

8. Landscaping and a permanent underground sprinkler system shall be installed as required by the Planning Commission or City Council and shall be permanently maintained in a satisfactory manner. [Failure to properly maintain required landscaping and underground sprinkler systems shall be cause for revocation of a business license.]
9. A landscaping plan must be submitted prior to or at the same time application is made for a building permit.
10. All mechanical equipment, air conditioners and trash areas shall be fully screened in views from the abutting streets and neighboring properties.
11. Trash enclosures shall have solid metal gates, a roof, and match the color and building finish of the main structure as required by Title 19.08.45.
12. Parking lot lighting standards shall be no more than 20 feet in height and shall utilize ‘shoe-box’ fixtures and downward-directed lights. Wallpack lighting shall utilize ‘shoe-box’ fixtures and downward-directed lights on the proposed building. Non-residential property lighting shall be directed away from residential property or screened, and shall not create fugitive lighting on adjacent properties.
13. All utility boxes exceeding 27 cubic feet in size shall meet the standards of Municipal Code Section 19.12.050.
14. Any proposed property line wall shall be a decorative block wall, with at least 20 percent contrasting materials. Wall heights shall be measured from the side of the fence with the least vertical exposure above the finished grade, unless otherwise stipulated.
15. A fully operational fire protection system, including fire apparatus roads, fire hydrants and water supply, shall be installed and shall be functioning prior to construction of any combustible structures.
16. All City Code requirements and design standards of all City departments must be satisfied.

**Public Works**

17. Remove all substandard public street improvements, if any, adjacent to this site and replace with new improvements meeting current City Standards concurrent with development of this site.

CITY COUNCIL MEETING OF October 1, 2003  
Planning and Development Department  
Item 91 – SDR-2766

**CONDITIONS – Continued:**

18. Meet with the Traffic Engineering Representative in Land Development for assistance in the possible redesign of the proposed driveway access, on site circulation and parking lot layout prior to the submittal of any construction plans or the issuance of any permits, whichever may occur first. Driveways shall be designed, located and constructed in accordance with Standard Drawing #222A.
19. Meet with the Flood Control Section of the Department of Public Works for assistance in determining appropriate finished floor elevations and drainage pathways required for this site prior to the issuance of any permits for this site.

**AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT**  
**CITY COUNCIL MEETING OF: OCTOBER 1, 2003**

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**DEPARTMENT: PLANNING & DEVELOPMENT**

**DIRECTOR: ROBERT S. GENZER**

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**CONSENT**

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**DISCUSSION**

**SUBJECT:**

SITE DEVELOPMENT PLAN REVIEW - PUBLIC HEARING - **SDR-2784 - PAUL KELLOGG ON BEHALF OF AQUARIUS, LIMITED LIABILITY COMPANY** - Request for a Site Development Plan Review FOR A 12,103 SQUARE FOOT OFFICE BUILDING on a portion of 2.18 acres adjacent to the southwest corner of Charleston Boulevard and Fourth Street (APN: 162-03-115-001), C-1 (Limited Commercial) Zone, Ward 1 (Moncrief). The Planning Commission (4-0-2 vote) and staff recommend APPROVAL

**PROTESTS RECEIVED BEFORE:**

**Planning Commission Mtg.**

**0**

**City Council Meeting**

**0**

**APPROVALS RECEIVED BEFORE:**

**Planning Commission Mtg.**

**0**

**City Council Meeting**

**0**

**RECOMMENDATION:**

The Planning Commission (4-0-2 vote) and staff recommend APPROVAL, subject to conditions.

**BACKUP DOCUMENTATION:**

1. Location Map
2. Conditions For This Application
3. Staff Report

**MOTION:**

**MONCRIEF – APPROVED subject to conditions – UNANIMOUS**

**MINUTES:**

MAYOR GOODMAN declared the Public Hearing open.

The applicant was not present.

COUNCILWOMAN MONCRIEF indicated that the site plan meets the intent of the Downtown Development Plan and therefore, she supported the Site Development Plan Review.

No one appeared in opposition.

There was no further discussion.

MAYOR GOODMAN declared the Public Hearing closed.

(1:11 – 1:12)

**3-237**

CITY COUNCIL MEETING OF October 1, 2003  
Planning and Development Department  
Item 92 – SDR-2784

**CONDITIONS:**

Planning and Development

1. This Site Development Plan Review shall expire two years from date of final approval unless it is exercised or an Extension of Time is granted by the City Council.
2. All development shall be in conformance with the site plan and building elevations, except as amended by conditions herein.
3. A landscape plan shall be reviewed and approved by the Planning and Development Department prior to the time application is made for a building permit, to reflect a minimum of one tree for every six parking spaces within the parking lot area in accordance with code requirements.
4. The applicant shall receive final approval by the Department of Fire Services, prior to submittal of any building permits, for verification that on-site circulation will be adequate for rescue vehicles.

Public Works

5. Remove all substandard public street improvements and unused driveway cuts adjacent to this site, if any, and replace with new improvements meeting current City Standards concurrent with development of this site.
6. Meet with the Traffic Engineering Representative in Land Development for assistance in the possible redesign of the proposed driveway access, on site circulation and parking lot layout prior to the submittal of any construction plans or the issuance of any permits, whichever may occur first. Any new driveways or modifications to existing driveways shall be designed, located and constructed in accordance with Standard Drawing #222A.
7. No portion of the proposed office building shall be constructed overlying the existing sewer easements on this property.
8. A Traffic Impact Analysis must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits, submittal of any construction drawings or the recordation of a Map subdividing this site. Comply with the recommendations of the approved Traffic Impact Analysis prior to occupancy of the site. The City shall determine area traffic mitigation contribution requirements based upon information provided in the approved Traffic Impact Analysis; such monies shall be contributed prior to the issuance of any permits for or the recordation of a Map

CITY COUNCIL MEETING OF October 1, 2003  
Planning and Development Department  
Item 92 – SDR-2784

**CONDITIONS – Continued:**

subdividing this site. The Traffic Impact Analysis shall also include a section addressing Standard Drawings #234.1 #234.2 and #234.3 to determine additional right-of-way requirements for bus turnouts adjacent to this site, if any; dedicate all areas recommended by the approved Traffic Impact Analysis. All additional rights-of-way required by Standard Drawing #201.1 for exclusive right turn lanes and dual left turn lanes shall be dedicated prior to or concurrent with the commencement of on-site development activities unless specifically noted as not required in the approved Traffic Impact Analysis. If additional rights-of-way are not required and Traffic Control devices are or may be proposed at this site outside of the public right-of-way, all necessary easements for the location and/or access of such devices shall be granted prior to the issuance of permits for this site. Phased compliance will be allowed if recommended by the approved Traffic Impact Analysis. No recommendation of the approved Traffic Impact Analysis, nor compliance therewith, shall be deemed to modify or eliminate any condition of approval imposed by the Planning Commission or the City Council on the development of this site.

Alternatively, in lieu of a Traffic Impact Analysis, the applicant may participate in a reasonable alternative mutually acceptable to the applicant and the Department of Public Works.

9. An addendum to the previously approved Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department of Public Works prior to the issuance of any grading or building permits, submittal of any construction drawings or the recordation of a Final Map for this site, whichever may occur first. Provide and improve all drainageways as recommended in the approved drainage plan/study.
10. Submit an Encroachment Agreement for all landscaping and private improvements located in the public right-of-way adjacent to this site prior to occupancy of this site.

**AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT**  
**CITY COUNCIL MEETING OF: OCTOBER 1, 2003**

**DEPARTMENT: PLANNING & DEVELOPMENT**

**DIRECTOR: ROBERT S. GENZER**

☐

**CONSENT**

☒

**DISCUSSION**

**SUBJECT:**

MAJOR MODIFICATION TO THE LONE MOUNTAIN MASTER PLAN - PUBLIC HEARING - **MOD-2813 - RL HOMES, LIMITED LIABILITY COMPANY ON BEHALF OF TRAN NHU THI** - Request for a Major Modification to the Lone Mountain Master Plan TO ADD A 5.49 ACRE PARCEL INTO THE PLAN AND TO CHANGE THE LAND USE DESIGNATION FROM: PCD (Planned Community Development) TO: MEDIUM-LOW DENSITY RESIDENTIAL on 5.49 acres adjacent to the north side of Alexander Road, approximately 335 feet west of Vegas Vista Trail (APN: 137-01-801-007), U (Undeveloped) Zone [PCD (Planned Community Development) General Plan Designation] [PROPOSED: PD (Planned Development)], Ward 4 (Brown). The Planning Commission (6-0 vote) and staff recommend APPROVAL

**PROTESTS RECEIVED BEFORE:**

**Planning Commission Mtg.**  
**City Council Meeting**

<b>4</b>
<b>0</b>

**APPROVALS RECEIVED BEFORE:**

**Planning Commission Mtg.**  
**City Council Meeting**

<b>0</b>
<b>0</b>

**RECOMMENDATION:**

The Planning Commission (6-0 vote) and staff recommend APPROVAL, subject to conditions.

**BACKUP DOCUMENTATION:**

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Back up referenced from the 8/28/2003 Planning Commission meeting Item 25

**MOTION:**

**BROWN – APPROVED subject to conditions – UNANIMOUS**

**MINUTES:**

MAYOR GOODMAN declared the Public Hearing open.

ATTORNEY JENNIFER LAZOVICH, Kummer Kaempfer Bonner & Renshaw, 3800 Howard Hughes Parkway, appeared on behalf of the applicant. She indicated that the staff reports indicated that the Major Modification and the zone change are compatible with the surrounding area. With respect to Item 95 [SDR-2772], ATTORNEY LAZOVICH explained that the variance was withdrawn at the Planning Commission. Further, the applicant has agreed to remove one lot and convert it to open space, reducing the number of lots to 33. In addition, in working with staff to mitigate some of the residents' concerns, the applicant has agreed to designate Lots 7, 8, 9, 12, 14 and 16 on the western portion of the development as single story homes. She requested that this change be included as a condition of approval.



CITY COUNCIL MEETING OF OCTOBER 1, 2003  
Planning and Development Department  
Item 93 – MOD-2813

**MINUTES – Continued:**

ROBERT HARRISON, 4028 Driscoll Mountain Street, appeared in support of the development, but indicated he would like to see a good, thoughtful development. He outlined seven issues relating to this application: a homeowners association, density, view lots, street lighting, dust control, construction hours, and security. He indicated that a homeowners association surrounds this project, and he would like to see a homeowners association created for this new development so that it shares the goals of his subdivision. This development is surrounded on three sides by 50-foot wide lots, and he does not understand how the proposed lots, at 33 feet wide and 40 feet wide could share the same density. He was pleased that six of the lots would be single story, but felt that Lots 10 and 11 should also be single story. Currently, the residents have a beautiful view of Lone Mountain and the Strip. It is reasonable to have single story lots along the west side to protect their investments. MR. HARRISON further noted that the existing subdivisions are lit with gaslights in front yards, and he would like to see similar lighting for the new development. He asked that the dust control be enforced by monitoring with an on-site camera, and that construction be limited from 7:00 a.m. to 5:00 p.m., six days a week. Finally, MR. HARRISON asked that no homes be commenced or framed until fire hydrants are in place and operable or alternative fire safety measures have been established.

JANICE MASTRION, 4020 Driscoll Mountain Street, appeared with her daughter GIANA. MS. MASTRION stated that she bought her home because of its magnificent view and would like to retain it. She asked that the developer consider building single story homes along the west side of her property.

KELLY EMENS, 4008 Driscoll Mountain Street, indicated she recently purchased her home and that Lot 8 would completely block her view. She wants to protect her investment by preserving the view. She asked that Lots 7 and 8 be single story homes.

LESLIE VINASSA, 4012 Driscoll Mountain Street, stated that two story homes would block her view; and, further, neighbors would be able to look into her backyard.

TODD FARLOW, 240 North 19<sup>th</sup> Street, pointed out that the open space is buried in the corner. He feels there was no usable open space. Further, the developer should not be allowed to use the trails as part of the open space. In addition, the lots are too small. At the Planning Commission meeting it was discussed that the road would be close to the wall due to an elevation change. If there is an elevation change, he hopes that proper drainage is provided.

ATTORNEY LAZOVICH responded that Lots 7, 8, and 9 would match the adjacent subdivision and protect those residents along the west side of the development. The road was put on the outer edge to increase the distance between the existing homes and the new development. She guaranteed that Lots 12, 14 and 16 would be single story. With regard to the open space, this development is not a gated community; therefore, they tried to include the open space on the interior to provide equal distance for anyone walking to the park.

CITY COUNCIL MEETING OF OCTOBER 1, 2003  
Planning and Development Department  
Item 93 – MOD-2813

**MINUTES – Continued:**

COUNCILMAN BROWN commented that the single-story lots would address the residents' concerns. He advised that the City cannot mandate a homeowners association, but hopes that the builder would accommodate the adjacent neighborhood. He clarified with ATTORNEY LAZOVICH that the density is at 6.0 and that surrounding areas have densities of 4.57, 6.6 and 9.04.

In order to mitigate the streetlight issue, COUNCILMAN BROWN requested that a condition be added to ensure that the lights within this application are similar to the fixtures in the abutting neighborhoods. ROBERT GENZER, Director, Planning and Development Department, confirmed with ATTORNEY LAZOVICH that this condition was agreeable.

COUNCILMAN BROWN indicated that dust control and the hours of construction are regulated by ordinance; and, if any problems arise MR. HARRISON should contact the City to address that issue. Regarding the fire issue, he believes that no framing is allowed to commence unless there is appropriate fire protection on site. MR. GENZER verified that a standard condition addressed that issue.

COUNCILMAN BROWN commented that it would have been easier if this parcel had become part of the original master plan. The good news, from a design standpoint, is that the streets have been put on the outer edge of the homes to give both east and west neighborhoods additional buffers. He noted that the elevations from the west down into this project are significant. He felt that the additional single story mandated on the record and the open space made for a good compromise.

MR. GENZER indicated that the conditions regarding the streetlights and the specific location of single-story homes should be placed on Item 95 [SDR-2772]. With regard to the single-story homes, he recommended that a condition be crafted so that when those lot numbers are called out it is per the site plan presented today.

There was no further discussion.

MAYOR GOODMAN declared the Public Hearing closed.

CITY COUNCIL MEETING OF OCTOBER 1, 2003  
Planning and Development Department  
Item 93 – MOD-2813

**MINUTES – Continued:**

NOTE: See Item 95 [SDR-2772] for related discussion.

(1:12 – 1:38)

3-264

**CONDITIONS:**

Planning and Development

1. Conformance to the Lone Mountain Master Development Plan and Design Standards.
2. A Site Development Plan Review application approved by the Planning Commission and City Council prior to issuance of any permits, any site grading, and all development activity for the site.

Public Works

3. An update to the Master Traffic Impact Analysis must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits, or the submittal of any construction drawings. Comply with the recommendations of the approved Traffic Impact Analysis prior to occupancy of the site. The City shall determine area traffic mitigation contribution requirements based upon information provided in the approved Traffic Impact Analysis; such monies shall be contributed prior to the issuance of any permits for this site.
4. An update to the Master Drainage Study must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits, submittal of any construction drawings or the recordation of a Map subdividing this site, whichever may occur first. Provide and improve all drainageways recommended in the approved drainage plan/study. The developer of this site shall be responsible to construct such neighborhood or local drainage facility improvements as are recommended by the City of Las Vegas Neighborhood Drainage Studies and approved Drainage Plan/Study concurrent with development of this site.

**AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT**  
**CITY COUNCIL MEETING OF: OCTOBER 1, 2003**

**DEPARTMENT: PLANNING & DEVELOPMENT**

**DIRECTOR: ROBERT S. GENZER**

☐

**CONSENT**

☒

**DISCUSSION**

**SUBJECT:**

REZONING RELATED TO MOD-2813 - PUBLIC HEARING - **ZON-2771 - RL HOMES, LIMITED LIABILITY COMPANY ON BEHALF OF TRAN NHU THI** - Request for a Rezoning FROM: U (Undeveloped) [PCD (Planned Community Development) General Plan Designation] TO: PD (Planned Development) on 5.49 acres adjacent to the north side of Alexander Road, approximately 335 feet west of Vegas Vista Trail (APN: 137-01-801-007), Ward 4 (Brown). The Planning Commission (6-0 vote) and staff recommend APPROVAL

**PROTESTS RECEIVED BEFORE:**

**Planning Commission Mtg.**  
**City Council Meeting**

<b>4</b>
<b>0</b>

**APPROVALS RECEIVED BEFORE:**

**Planning Commission Mtg.**  
**City Council Meeting**

<b>0</b>
<b>0</b>

**RECOMMENDATION:**

The Planning Commission (6-0 vote) and staff recommend APPROVAL, subject to conditions.

**BACKUP DOCUMENTATION:**

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Back up referenced from the 8/28/2003 Planning Commission meeting Item 26

**MOTION:**

**BROWN – APPROVED subject to conditions – UNANIMOUS**

**MINUTES:**

MAYOR GOODMAN declared the Public Hearing open.

ATTORNEY JENNIFER LAZOVICH, Kummer Kaempfer Bonner & Renshaw, 3800 Howard Hughes Parkway, appeared on behalf of the applicant.

There was no discussion.

MAYOR GOODMAN declared the Public Hearing closed.

NOTE: See Item 93 [MOD-2813] and Item 95 [SDR-2772] for related discussion.

(1:12 – 1:38)

**3-264**

CITY COUNCIL MEETING OF OCTOBER 1, 2003  
Planning and Development Department  
Item 94 – Item ZON-2771

**CONDITIONS:**

Planning and Development

1. Approval of a Major Modification to the Lone Mountain Master Development Plan to include a 5.49 acre parcel adjacent to the north side of Alexander Road approximately 335 feet west of Vegas Vista Trail into the Plan and change the Land Use Designation from: PCD (Planned Community Development) to ML (Medium Low Density residential) by the City Council.
2. A Site Development Plan Review application (SDR-2772) approved by the Planning Commission and City Council prior to issuance of any permits, any site grading, and all development activity for the site.

Public Works

3. Submit a Vacation Application to vacate the excess 10 feet of Bureau of Land Management (BLM) right-of-way grant adjacent to this site, per BLM #N-66444, along Alexander Road; such vacation shall record prior to the recordation of a Final Map overlying or adjacent to the area to be vacated.
4. Dedicate 40 feet of right-of-way adjacent to this site for Alexander Road prior to the issuance of any permits.
5. Construct half-street improvements including appropriate overpaving if legally able on Alexander Road adjacent to this site concurrent with development of this site. Install all appurtenant underground facilities, if any, adjacent to this site needed for the future traffic signal system concurrent with development of this site.
6. Provide public sewer easements for all public sewers not located within existing public street right-of-way prior to the issuance of any permits as required by the Department of Public Works. Improvement Drawings submitted to the City for review shall not be approved for construction until all required public sewer easements necessary to connect this site to the existing public sewer system have been granted to the City.
7. An update to the Lone Mountain Master Traffic Impact Analysis must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits, submittal of any construction drawings or the recordation of a Final Map for this site. Comply with the recommendations of the approved Traffic Impact Analysis prior to occupancy of the site. The City shall determine area traffic mitigation contribution requirements based upon information provided in the approved Traffic

CITY COUNCIL MEETING OF OCTOBER 1, 2003  
Planning and Development Department  
Item 94 – Item ZON-2771

**CONDITIONS:**

Impact Analysis; such monies shall be contributed prior to the issuance of any permits or the recordation of a Final Map for this site. The Traffic Impact Analysis shall also include a section addressing Standard Drawings #234.1 #234.2 and #234.3 to determine additional right-of-way requirements for bus turnouts adjacent to this site, if any; dedicate all areas recommended by the approved Traffic Impact Analysis. All additional rights-of-way required by Standard Drawing #201.1 for exclusive right turn lanes and dual left turn lanes shall be dedicated prior to or concurrent with the commencement of on-site development activities unless specifically noted as not required in the approved Traffic Impact Analysis. Phased compliance will be allowed if recommended by the approved Traffic Impact Analysis. No recommendation of the approved Traffic Impact Analysis, nor compliance therewith, shall be deemed to modify or eliminate any condition of approval imposed by the Planning Commission or the City Council on the development of this site.

8. A Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits, submittal of any construction drawings or the recordation of a Final Map for this site, whichever may occur first. Provide and improve all drainageways recommended in the approved drainage plan/study. The developer of this site shall be responsible to construct such neighborhood or local drainage facility improvements as are recommended by the approved Drainage Plan/Study concurrent with development of this site. In lieu of constructing improvements, in whole or in part, the developer may agree to contribute monies for the construction of neighborhood or local drainage improvements, the amount of such monies shall be determined by the approved Drainage Plan/Study and shall be contributed prior to the issuance of any building or grading permits, or the recordation of a Final Map, whichever may occur first, if allowed by the City Engineer.

**AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT**

CITY COUNCIL MEETING OF: OCTOBER 1, 2003

**DEPARTMENT: PLANNING & DEVELOPMENT****DIRECTOR: ROBERT S. GENZER**☐**CONSENT**☒**DISCUSSION****SUBJECT:**

SITE DEVELOPMENT PLAN REVIEW RELATED TO MOD-2813 AND ZON-2771 - PUBLIC HEARING - **SDR-2772 - RL HOMES, LIMITED LIABILITY COMPANY ON BEHALF OF TRAN NHU THI** - Request for a Site Development Plan Review FOR A PROPOSED 34-LOT SINGLE FAMILY RESIDENTIAL DEVELOPMENT on 5.49 acres adjacent to the north side of Alexander Road, approximately 335 feet west of Vegas Vista Trail (APN: 137-01-801-007), U (Undeveloped) Zone [PCD (Planned Community Development) General Plan Designation] [PROPOSED: PD (Planned Development)], Ward 4 (Brown). Staff recommends DENIAL. The Planning Commission (4-2 vote) recommends APPROVAL

**PROTESTS RECEIVED BEFORE:****Planning Commission Mtg.****4****City Council Meeting****0****APPROVALS RECEIVED BEFORE:****Planning Commission Mtg.****0****City Council Meeting****0****RECOMMENDATION:**

Staff recommends DENIAL. The Planning Commission (4-2 vote) recommends APPROVAL, subject to conditions.

**BACKUP DOCUMENTATION:**

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Back up referenced from the 8/28/2003 Planning Commission meeting Item 28

**MOTION:**

**BROWN – APPROVED** subject to conditions and the following added conditions:

- *The streetlights within this development shall aesthetically match those of the abutting neighborhood to the west.*
- *Lots 7, 8, 9, 12, 14 and 16 shall be single story as per the site plan presented on October 1, 2003.*
- *The applicant or his representative is required to schedule a meeting with representatives from the Department of Public Works and the Planning Department if the approved site plan is modified in whole or in part by the required engineering studies. The proposed modifications of the site plan will be reviewed by staff and approved administratively. Staff may propose alternatives to the proposed modifications to accommodate the required site engineering. If the applicant and staff are unable to reach an agreement on the proposed modifications to the site plan, the revised site plan will be forwarded to the approving body for review.*

CITY COUNCIL MEETING OF OCTOBER 1, 2003  
Planning and Development Department  
Item 95 – SDR-2772

**MOTION – Continued:**

- *The applicant shall submit a landscape and irrigation plan for review and approval by the Planning Department prior to the approval of the Civil Improvement Plans. The Civil Improvement Plans will include copies of the approved landscaping and irrigation plans.*

– UNANIMOUS

NOTE: A motion by COUNCILMAN REESE to re-open this item rescinded a previous motion by COUNCILMAN BROWN for approval as amended. Both motions carried unanimously.

**MINUTES:**

MAYOR GOODMAN declared the Public Hearing open.

ATTORNEY JENNIFER LAZOVICH, Kummer Kaempfer Bonner & Renshaw, 3800 Howard Hughes Parkway, appeared on behalf of the applicant.

COUNCILMAN BROWN verified with ATTORNEY LAZOVICH that the Lots 7, 8, 9, 12, 14 and 16 would contain single-story homes per the plot plan presented today. He requested that a condition be added requiring the builder to provide light fixtures that aesthetically match those in the abutting neighborhood. ROBERT GENZER, Director, Planning and Development Department, verified with COUNCILMAN BROWN that the streetlights should match those of the abutting neighborhood to the west. COUNCILMAN BROWN informed the residents that he would be hosting a neighborhood meeting within the next week and would provide an update on this development. He will personally work with the builder to make sure this project is compatible with other KB developments.

MR. GENZER informed the Council that two additional conditions should be added to this item. He read the conditions into the record. First, that the applicant or his representative be required to schedule a meeting with representatives from the Department of Public Works and the Planning Department if the approved site plan is modified in whole or in part by the required engineering studies. The proposed modifications of the site plan will be reviewed by staff and approved administratively. Staff may propose alternatives to the proposed modifications to accommodate the required site engineering. If the applicant and staff are unable to reach an agreement on the proposed modifications to the site plan, the revised site plan will be forwarded to the approving body for review. Second, that the applicant shall submit a landscape and irrigation plan for review and approval by the Planning Department prior to the approval of the Civil Improvements Plans. The Civil Improvements Plans will include copies of the approved landscaping and irrigation plans.



CITY COUNCIL MEETING OF OCTOBER 1, 2003  
Planning and Development Department  
Item 95 – SDR-2772

**MINUTES – Continued:**

COUNCILMAN BROWN clarified that the first condition is being added because the streets are being placed external to the homes and the intent is to lower the grade as far as possible. The second condition will allow the City to ensure that the builder lives up to its promises.

ATTORNEY LAZOVICH concurred with the two additional conditions.

There was no further discussion.

MAYOR GOODMAN declared the Public Hearing closed.

NOTE: See Item 93 [MOD-2813] for related discussion.

(1:12 – 1:38)

**3-264**

**CONDITIONS:**

Planning and Development

1. A Major Modification to the Lone Mountain Master Development Plan (MOD-2813) to include a 5.49 acre parcel adjacent to the north side of Alexander Road approximately 335 feet west of Vegas Vista Trail into the Plan and change the Land Use Designation from: PCD (Planned Community Development) to ML (Medium Low Density residential) approved by the City Council.
2. The development is limited to 33 lots.
3. The applicant shall work with staff to determine the appropriate location of additional open space that will bring the development into conformance with open space requirements. Revised plans must be submitted prior to City Council hearing.
4. This Site Development Plan Review shall expire two years from date of final approval unless it is exercised or an Extension of Time is granted by the City Council.
5. All development shall be in conformance with the site plan and building elevations, except as amended by conditions herein.

CITY COUNCIL MEETING OF OCTOBER 1, 2003  
Planning and Development Department  
Item 95 SDR-2772

**CONDITIONS – Continued:**

6. The landscape plan shall be revised and approved by Planning and Development Department staff, prior to the time application is made for a building permit, to reflect minimum 24-inch box trees planted a maximum of 30 feet on-center for the perimeter buffer area along the north property line and tree species that conform with Appendix B of the Lone Mountain Master Development Plan. The landscape plan must provide the required amount of trees.
7. A revised landscaping plan must be submitted prior to or at the same time application is made for a building permit.
8. Air conditioning units shall not be mounted on rooftops.
9. All utility boxes exceeding 27 cubic feet in size shall meet the standards of Municipal Code Section 19.12.050.
10. Any property line wall along the perimeter of the overall site shall be a decorative block wall, with at least 20 percent contrasting materials, or a wrought iron fence with decorative concrete or stone pilasters. Wall heights shall be measured from the side of the fence with the least vertical exposure above the finished grade, unless otherwise stipulated. Design shall conform to the Lone Mountain Design Standards.
11. A fully operational fire protection system, including fire apparatus roads, fire hydrants and water supply, shall be installed and shall be functioning prior to construction of any combustible structures.
12. All City Code requirements and design standards of all City departments must be satisfied.
13. Meet with the Fire Protection Engineering Section of the Department of Fire Services prior to submittal of a Tentative Map for this site. The Design and layout of all onsite private circulation and access drives shall meet the approval of the Department of Fire Services.
14. All dwellings must provide a minimum two car garage.
15. The setbacks for this development shall be a minimum of 20 feet to the front of the garage and 14 feet to the house, 10 feet to the corner side, 5 feet on the side, and 15 feet in the rear.

CITY COUNCIL MEETING OF OCTOBER 1, 2003  
Planning and Development Department  
Item 95 SDR-2772

**CONDITIONS – Continued:**

Public Works

16. Meet with the Traffic Engineering Representative in Land Development for assistance in redesigning the proposed driveway layout prior to the submittal of any construction plans or the issuance of any permits, whichever may occur first. Gated entries, if proposed, shall be designed, located and constructed in accordance with Standard Drawing #222a.
17. A Master Streetlight Plan for the overall subdivision shall be approved prior to the submittal of any construction drawings for this site.
18. Meet with the Fire Protection Engineering Section of the Department of Fire Services prior to submittal of a Tentative Map for this site. The design and layout of all onsite private circulation and access drives shall meet the approval of the Department of Fire Services.
19. A Homeowner's Association shall be established to maintain all perimeter walls, private roadways, landscaping and common areas created with this development. All landscaping shall be situated and maintained so as to not create sight visibility obstructions for vehicular traffic at all development access drives and abutting street intersections. The CC&R's for the Homeowner's Association shall be submitted to and approved by the City Attorney's Office.
20. The final layout of the subdivision shall be determined at the time of approval of the Tentative Map.
21. Site development to comply with all applicable conditions of approval Zoning Reclassification ZON-2771 and all other subsequent site-related actions.
22. The approval of all Public Works related improvements shown on this Site Development Plan Review is in concept only. Specific design and construction details relating to size, type and/or alignment of public improvements, including but not limited to street, sewer and drainage improvements, shall be resolved prior to submittal of a Tentative Map or construction drawings, whichever may occur first. No deviations from adopted City Standards shall be allowed unless specific written approval for such is received from the City Engineer prior to the submittal of a Tentative Map or construction drawings, whichever may occur first.

**AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT**  
**CITY COUNCIL MEETING OF: OCTOBER 1, 2003**

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**DEPARTMENT: PLANNING & DEVELOPMENT**

**DIRECTOR: ROBERT S. GENZER**

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**CONSENT**

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**DISCUSSION**

**SUBJECT:**

MASTER SIGN PLAN - PUBLIC HEARING - MSP-2763 - FIRST AMERICAN  
EQUITIES ON BEHALF OF RONALD J. RICHARDSON - Request for a Master Sign  
Plan FOR AN APPROVED RETAIL BUILDING (AUTOZONE) adjacent to the west side of  
Lamb Boulevard, approximately 570 feet south of Washington Avenue (APN: 140-30-701-014),  
C-1 (Limited Commercial) Zone, Ward 3 (Reese). The Planning Commission (6-0 vote) and  
staff recommend APPROVAL

**PROTESTS RECEIVED BEFORE:**

**Planning Commission Mtg.**  
**City Council Meeting**

<b>1</b>
<b>0</b>

**APPROVALS RECEIVED BEFORE:**

**Planning Commission Mtg.**  
**City Council Meeting**

<b>0</b>
<b>0</b>

**RECOMMENDATION:**

The Planning Commission (6-0 vote) and staff recommend APPROVAL, subject to conditions.

**BACKUP DOCUMENTATION:**

1. Location Map
2. Conditions For This Application
3. Staff Report

**MOTION:**

**REESE – APPROVED subject to conditions – UNANIMOUS**

**MINUTES:**

MAYOR GOODMAN declared the Public Hearing open.

HAROLD FOSTER, 3230 Polaris Avenue, appeared on behalf of the applicant and concurred with all conditions.

TODD FARLOW, 240 North 19<sup>th</sup> Street, felt that pole signs should be eliminated and that the signs should comply with the new sign ordinance passed six months ago.

COUNCILMAN REESE confirmed with ROBERT GENZER, Director, Planning and Development Department, that the signs comply with the new sign ordinance. MR. GENZER clarified that while the pole sign meets code, there is a requirement that the pole be enclosed and surfaced to match the architecture of the principal structure. The picture displayed on the overhead is not the final design that would be allowed under this condition. MR. FOSTER concurred with MR. GENZER'S comments.

CITY COUNCIL MEETING OF OCTOBER 1, 2003  
Planning and Development Department  
Item 96 – MSP-2763

**MINUTES – Continued:**

No one appeared in opposition.

There was no further discussion.

MAYOR GOODMAN declared the Public Hearing closed.

NOTE: All discussion for Item 96 [MSP-2763] and Item 97 [MSP-2764] took place under Item 96 [MSP-2763].

(1:38 – 1:41)

**3-1136**

**CONDITIONS:**

Planning and Development

1. Conformance to the sign elevations and documentation as submitted in conjunction with this request, except as amended by condition of approval.
2. The freestanding sign pole shall be enclosed and surfaced to match the architecture of the principal structure, and shall be reviewed and approved by the Planning and Development Department. The base shall be three feet in width or a minimum of 20% of the sign width, whichever is smaller.
3. All signage shall have proper permits obtained through the Building and Safety Department.
4. Any modification to the Master Sign Plan may be approved administratively where all Title 19 requirements are met.

Public Works

5. Site development to comply with all applicable conditions of approval for Site Development Plan Review Z-10-69(3), and all other subsequent site-related actions.
6. Signs shall not be located within public right-of-way, existing or proposed public sewer or drainage easements, or interfere with Site Visibility Restriction Zones.

**AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT**  
**CITY COUNCIL MEETING OF: OCTOBER 1, 2003**

**DEPARTMENT: PLANNING & DEVELOPMENT**

**DIRECTOR: ROBERT S. GENZER**

☐

**CONSENT**

☒

**DISCUSSION**

**SUBJECT:**

MASTER SIGN PLAN - PUBLIC HEARING - MSP-2764 - FIRST AMERICAN EQUITIES ON BEHALF OF RONALD J. RICHARDSON - Request for a Master Sign Plan FOR AN APPROVED RETAIL BUILDING (FAMILY DOLLAR) adjacent to the west side of Lamb Boulevard, approximately 500 feet south of Washington Avenue (APN: 140-30-701-013), C-1 (Limited Commercial) Zone, Ward 3 (Reese). The Planning Commission (6-0 vote) and staff recommend APPROVAL

**PROTESTS RECEIVED BEFORE:**

**Planning Commission Mtg.**  
**City Council Meeting**

<b>1</b>
<b>0</b>

**APPROVALS RECEIVED BEFORE:**

**Planning Commission Mtg.**  
**City Council Meeting**

<b>0</b>
<b>0</b>

**RECOMMENDATION:**

The Planning Commission (6-0 vote) and staff recommend APPROVAL, subject to conditions.

**BACKUP DOCUMENTATION:**

1. Location Map
2. Conditions For This Application
3. Staff Report

**MOTION:**

**REESE – APPROVED subject to conditions – UNANIMOUS**

**MINUTES:**

MAYOR GOODMAN declared the Public Hearing open.

HAROLD FOSTER, 3230 Polaris Avenue, appeared on behalf of the applicant.

MAYOR GOODMAN declared the Public Hearing closed.

NOTE: All discussion for Item 96 [MSP-2763] and Item 97 [MSP-2764] took place under Item 96 [MSP-2763].

(1:38 – 1:41)

**3-1136**

CITY COUNCIL MEETING OF OCTOBER 1, 2003  
Planning and Development Department  
Item 97 – MSP-2764

**CONDITIONS:**

Planning and Development

1. Conformance to the sign elevations and documentation as submitted in conjunction with this request, except as amended by condition of approval.
2. The freestanding sign pole shall be enclosed with a decorative cover to match the architecture of the principal structure, and shall be reviewed and approved by the Planning and Development Department. The base shall be three feet in width or a minimum of 20% of the sign width, whichever is smaller.
3. All signage shall have proper permits obtained through the Building and Safety Department.
4. Any modification to the Master Sign Plan may be approved administratively where all Title 19 requirements are met.

Public Works

5. Site development to comply with all applicable conditions of approval for Site Development Plan Review SDR-1393, and all other subsequent site-related actions.
6. Signs shall not be located within public right-of-way, existing or proposed public sewer or drainage easements, or interfere with Site Visibility Restriction Zones.

**AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT**

**CITY COUNCIL MEETING OF: OCTOBER 1, 2003**

**DEPARTMENT: PLANNING & DEVELOPMENT**

**DIRECTOR: ROBERT S. GENZER**

☐

**CONSENT**

☒

**DISCUSSION**

**SUBJECT:**

MASTER SIGN PLAN - PUBLIC HEARING - MSP-2804 - RAJESH PATEL ON BEHALF OF SUERTE CORPORATION - Request for a Master Sign Plan FOR AN EXISTING MOTEL DEVELOPMENT at 700 Fremont Street (APN: 139-34-612-006), C-2 (General Commercial) Zone, Ward 5 (Weekly). The Planning Commission (6-0 vote) and staff recommend APPROVAL

**PROTESTS RECEIVED BEFORE:**

Planning Commission Mtg.  
City Council Meeting

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**APPROVALS RECEIVED BEFORE:**

Planning Commission Mtg.  
City Council Meeting

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**RECOMMENDATION:**

The Planning Commission (6-0 vote) and staff recommend APPROVAL, subject to conditions.

**BACKUP DOCUMENTATION:**

1. Location Map
2. Conditions For This Application
3. Staff Report

**MOTION:**

**WEEKLY – APPROVED subject to conditions – UNANIMOUS**

**MINUTES:**

MAYOR GOODMAN declared the Public Hearing open.

The applicant was not present.

TODD FARLOW, 240 North 19<sup>th</sup> Street, opposed pole signs.

There was no further discussion.

MAYOR GOODMAN declared the Public Hearing closed.

(1:41 – 1:42)

**3-1235**



CITY COUNCIL MEETING OF OCTOBER 1, 2003  
Planning and Development Department  
Item 98 – MSP-2804

**CONDITIONS:**

Planning and Development

1. Conformance to the sign elevations and documentation as submitted in conjunction with this request, except as amended by condition of approval.
2. The freestanding sign pole shall be enclosed and surfaced to match the architecture of the principal structure, and shall be reviewed and approved by the Planning and Development Department. The base shall be a minimum of three feet in width or 20% of the sign width, whichever is less.
3. All signage shall have proper permits obtained through the Building and Safety Department.
4. Any modification to the Master Sign Plan may be approved administratively where all Title 19 requirements are met.

Public Works

5. Signs shall not be located within public right-of-way, existing or proposed public sewer or drainage easements, or interfere with Site Visibility Restriction Zones.

**AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT**

**CITY COUNCIL MEETING OF: OCTOBER 1, 2003**

**DEPARTMENT: PLANNING & DEVELOPMENT**

**DIRECTOR: ROBERT S. GENZER**

☐

**CONSENT**

☒

**DISCUSSION**

**SUBJECT:**

**ABEYANCE ITEM** - VACATION - PUBLIC HEARING - **VAC-2593** - **COLEMAN TOLL, LIMITED PARTNERSHIP** - Petition to Vacate portions of Lisa Lane, between Washburn Road and La Madre Way, Ward 6 (Mack). The Planning Commission (5-0-1 vote) and staff recommend APPROVAL

**PROTESTS RECEIVED BEFORE:**

**Planning Commission Mtg.**  
**City Council Meeting**

<b>0</b>
<b>0</b>

**APPROVALS RECEIVED BEFORE:**

**Planning Commission Mtg.**  
**City Council Meeting**

<b>1</b>
<b>0</b>

**RECOMMENDATION:**

The Planning Commission (5-0-1 vote) and staff recommend APPROVAL, subject to conditions.

**BACKUP DOCUMENTATION:**

1. Location Map
2. Conditions For This Application
3. Staff Report

**MOTION:**

**MACK – APPROVED** subject to conditions and adding the following condition as Condition 1:

1. *This application shall vacate only the easternmost 4.5 feet of Lisa Lane for those areas in which Lisa Lane will remain a public street, exclusive of the proposed cul-de-sac bulbs.*

– UNANIMOUS

**MINUTES:**

MAYOR GOODMAN declared the Public Hearing open.

MICHAEL PATRY, Alpha Engineering, 50 South Jones Boulevard, Suite 202, appeared on behalf of the applicant and concurred with staff recommendations as well as the vacation being centered on the center line of 4.5 feet on each side.

PETER ATKINSON, 5036 North Lisa Lane, was pleased with regard to the vacation issue. He inquired into installation of a man gate and noted he talked to DAN MARTIN, Project Manager for Toll Brothers. MR. MARTIN indicated that a man gate with a combination lock would be fine so that children can access the elementary school to the north and the middle school to the south. Lisa Lane residents support the combination lock but are concerned that once the

CITY COUNCIL MEETING OF OCTOBER 1, 2003  
Planning and Development Department  
Item 99 – VAC-2593

**MINUTES – Continued:**

homeowners association takes over the egress and ingress would be eliminated. However, he hoped there was some way to retain this access.

DEPUTY CITY ATTORNEY BRYAN SCOTT replied that there would need to be some type of permanent easement placed on that area so that schoolchildren could traverse it without any problem. DAVID GUERRA, Public Works Department, indicated that staff has not heard about such an easement. However, a condition could be included to provide a public access. However, installing a lock would require that the combination be published so that the general public could use the gate. An agreement between only the owners along Lisa Lane would be a private matter between those people and the developer or the incoming homeowners association.

DAN MARTIN, Toll Brothers, 1635 Village Center Circle, stated there would be no problem with providing the lock, and the issue will be researched further for the residents.

COUNCILMAN MACK indicated that the best way to address this issue would be through a private agreement between Toll Brothers and the residents on Lisa Lane. He encouraged the applicant to work with the neighbors on that request. He clarified that Public Works is recommending approval only for the vacation of 4.5 feet along the east side of Lisa Lane. MR. GUERRA read the additional condition into the record. MR. PATRY concurred with the additional condition.

No one appeared in opposition.

There was no further discussion.

MAYOR GOODMAN declared the Public Hearing closed.

(1:42 – 1:47)

**3-1280**

**CONDITIONS:**

1. A Drainage Plan and Technical Drainage Study or other related drainage information acceptable to the Flood Control Section must be submitted to and approved by the Department of Public Works prior to the recordation of the Order of Vacation for this application. Appropriate drainage easements shall be reserved if recommended by the approved Drainage Plan/Study. The Drainage Study required for the Washburn and Durango Subdivision may be used to satisfy this condition.

CITY COUNCIL MEETING OF OCTOBER 3, 2003  
Planning and Development Department  
Item 99 – VAC-2593

**CONDITIONS – Continued:**

2. A Traffic Impact Analysis or other related information acceptable to the Traffic Engineering Section must be submitted to and approved by the Department of Public Works prior to the recordation of the Order of Vacation for this application. The Traffic Impact Analysis required for the Washburn and Durango Subdivision may be used to satisfy this condition.
3. All public improvements, if any, adjacent to and in conflict with this vacation application are to be modified, as necessary, at the applicant's expense prior to the recordation of an Order of Vacation.
4. All development shall be in conformance with code requirements and design standards of all City departments.
5. The Order of Vacation shall not be recorded until all conditions have been met provided, however, that conditions requiring modification of public improvements may be fulfilled for purposes of recordation by providing sufficient security for the performance thereof in accordance with the Subdivision Ordinance of the City of Las Vegas. City Staff is empowered to modify this application if necessary because of technical concerns or because of other related review actions as long as current City right-of-way requirements are still complied with and the intent of the vacation application is not changed. If applicable, a five foot wide easement for public streetlight and fire hydrant purposes shall be retained on all vacation actions abutting public street corridors that will remain dedicated and available for public use. Also, if applicable and where needed, public easement corridors and sight visibility or other easements that would/should cross any right-of-way being vacated must be retained.
6. If the Order of Vacation is not recorded within one (1) year after approval by the City Council and the Planning and Development Director does not grant an Extension of Time, then approval will terminate and a new petition must be submitted.

**AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT**

**CITY COUNCIL MEETING OF: OCTOBER 1, 2003**

**DEPARTMENT: PLANNING & DEVELOPMENT**

**DIRECTOR: ROBERT S. GENZER**

☐

**CONSENT**

☒

**DISCUSSION**

**SUBJECT:**

VACATION - PUBLIC HEARING - **VAC-2680 - PERMA-BILT HOMES** - Request for a petition to Vacate portions of the Shadow Peak Street cul-de-sac generally located 1,000 feet north of West Gowan Road, Ward 4 (Brown). The Planning Commission (6-0 vote) and staff recommend APPROVAL

**PROTESTS RECEIVED BEFORE:**

**Planning Commission Mtg.**

**0**

**City Council Meeting**

**0**

**APPROVALS RECEIVED BEFORE:**

**Planning Commission Mtg.**

**0**

**City Council Meeting**

**0**

**RECOMMENDATION:**

The Planning Commission (6-0 vote) and staff recommend APPROVAL, subject to conditions.

**BACKUP DOCUMENTATION:**

1. Location Map
2. Conditions For This Application
3. Staff Report

**MOTION:**

**BROWN – APPROVED subject to conditions – UNANIMOUS**

**MINUTES:**

MAYOR GOODMAN declared the Public Hearing open.

BRENT WILSON, VTN Nevada, 2727 South Rainbow Boulevard, appeared on behalf of the applicant and concurred with staff recommendations.

No one appeared in opposition.

There was no further discussion.

MAYOR GOODMAN declared the Public Hearing closed.

(1:47 – 1:48)

**3-1495**

**CONDITIONS:**

1. Provide all necessary dedications for the cul-de-sac terminus of Shadow Peak Street prior to recordation of the Order of Vacation.

CITY COUNCIL MEETING OF OCTOBER 1, 2003  
Planning and Development Department  
Item 100 – VAC-2680

**CONDITIONS – Continued:**

2. A 20 foot wide public sewer easement, centered about the main, shall be retained or provided for the existing public sewer currently located in the Shadow Peak Street alignment.
3. A Drainage Plan and Technical Drainage Study or other related drainage information acceptable to the Flood Control Section must be submitted to and approved by the Department of Public Works prior to the recordation of the Order of Vacation for this application. Appropriate drainage easements shall be reserved if recommended by the approved Drainage Plan/Study.
4. All public improvements, if any, adjacent to and in conflict with this vacation application are to be modified, as necessary, at the applicant's expense prior to the recordation of an Order of Vacation.
5. Reservation of easements for the facilities of the various utility companies together with reasonable ingress thereto and egress therefrom shall be provided if required.
6. All development shall be in conformance with code requirements and design standards of all City departments.
7. The Order of Vacation shall not be recorded until all conditions have been met provided, however, that conditions requiring modification of public improvements may be fulfilled for purposes of recordation by providing sufficient security for the performance thereof in accordance with the Subdivision Ordinance of the City of Las Vegas. City Staff is empowered to modify this application if necessary because of technical concerns or because of other related review actions as long as current City right-of-way requirements are still complied with and the intent of the vacation application is not changed. If applicable, a five foot wide easement for public streetlight and fire hydrant purposes shall be retained on all vacation actions abutting public street corridors that will remain dedicated and available for public use. Also, if applicable and where needed, public easement corridors and sight visibility or other easements that would/should cross any right-of-way being vacated must be retained.
8. If the Order of Vacation is not recorded within one (1) year after approval by the City Council and the Planning and Development Director does not grant an Extension of Time, then approval will terminate and a new petition must be submitted.

**AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT**

**CITY COUNCIL MEETING OF: OCTOBER 1, 2003**

**DEPARTMENT: PLANNING & DEVELOPMENT**

**DIRECTOR: ROBERT S. GENZER**

☐

**CONSENT**

☒

**DISCUSSION**

**SUBJECT:**

VACATION - PUBLIC HEARING - VAC-2738 - AVANTE HOMES - Request for a Petition to Vacate a portion of North Campbell Road extending 158 feet southerly from the Log Cabin Way Alignment, Ward 6 (Mack). The Planning Commission (6-0 vote) and staff recommend APPROVAL

**PROTESTS RECEIVED BEFORE:**

**Planning Commission Mtg.**

**0**

**City Council Meeting**

**0**

**APPROVALS RECEIVED BEFORE:**

**Planning Commission Mtg.**

**0**

**City Council Meeting**

**0**

**RECOMMENDATION:**

The Planning Commission (6-0 vote) and staff recommend APPROVAL, subject to conditions.

**BACKUP DOCUMENTATION:**

1. Location Map
2. Conditions For This Application
3. Staff Report

**MOTION:**

**MACK – APPROVED subject to conditions – UNANIMOUS**

**MINUTES:**

MAYOR GOODMAN declared the Public Hearing open.

BRENT WILSON, VTN Nevada, 2727 South Rainbow Boulevard, appeared on behalf of the applicant and concurred with staff recommendations.

No one appeared in opposition.

There was no further discussion.

MAYOR GOODMAN declared the Public Hearing closed.

(1:48 – 1:49)

**3-1526**

**CONDITIONS:**

1. This Petition of Vacation shall be modified to retain a 20 foot wide Public Sewer Easement centered over the existing sewer.

CITY COUNCIL MEETING OF OCTOBER 1, 2003  
Planning and Development Department  
Item 101 – VAC-2738

**CONDITIONS – Continued:**

2. A Drainage Plan and Technical Drainage Study or other related drainage information acceptable to the Flood Control Section must be submitted to and approved by the Department of Public Works prior to the recordation of the Order of Vacation for this application. Appropriate drainage easements shall be reserved if recommended by the approved Drainage Plan/Study. The Drainage Study required by rezoning action ZON-2225 may be used to satisfy this condition.
3. All public improvements, if any, adjacent to and in conflict with this vacation application are to be modified, as necessary, at the applicant's expense prior to the recordation of an Order of Vacation.
4. Reservation of easements for the facilities of the various utility companies together with reasonable ingress thereto and egress there from shall be provided if required
5. All development shall be in conformance with code requirements and design standards of all City departments.
6. The Order of Vacation shall not be recorded until all conditions have been met provided, however, that conditions requiring modification of public improvements may be fulfilled for purposes of recordation by providing sufficient security for the performance thereof in accordance with the Subdivision Ordinance of the City of Las Vegas. City Staff is empowered to modify this application if necessary because of technical concerns or because of other related review actions as long as current City right-of-way requirements are still complied with and the intent of the vacation application is not changed. If applicable, a five foot wide easement for public streetlight and fire hydrant purposes shall be retained on all vacation actions abutting public street corridors that will remain dedicated and available for public use. Also, if applicable and where needed, public easement corridors and sight visibility or other easements that would/should cross any right-of-way being vacated must be retained.
7. If the Order of Vacation is not recorded within one (1) year after approval by the City Council and the Planning and Development Director does not grant an Extension of Time, then approval will terminate and a new petition must be submitted.



**AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT**

**CITY COUNCIL MEETING OF: OCTOBER 1, 2003**

**DEPARTMENT: PLANNING & DEVELOPMENT**

**DIRECTOR: ROBERT S. GENZER**

☐

**CONSENT**

☒

**DISCUSSION**

**SUBJECT:**

VACATION - PUBLIC HEARING - VAC-2743 - STANPARK HOMES - Petition to Vacate U.S. Government Patent Easements generally located north of Gilcrease Avenue, south of Grand Teton Drive, east of Grand Canyon Drive, and west of Tee Pee Lane, Ward 6 (Mack). The Planning Commission (6-0 vote) and staff recommend APPROVAL

**PROTESTS RECEIVED BEFORE:**

**Planning Commission Mtg.**  
**City Council Meeting**

<b>0</b>
<b>0</b>

**APPROVALS RECEIVED BEFORE:**

**Planning Commission Mtg.**  
**City Council Meeting**

<b>0</b>
<b>0</b>

**RECOMMENDATION:**

The Planning Commission (6-0 vote) and staff recommend APPROVAL, subject to conditions.

**BACKUP DOCUMENTATION:**

1. Location Map
2. Conditions For This Application
3. Staff Report

**MOTION:**

**MACK – APPROVED subject to conditions – UNANIMOUS with GOODMAN abstaining because KEVIN PARKINSON is a partner with him on an Apex project.**

**MINUTES:**

MAYOR GOODMAN declared the Public Hearing open and disclosed his abstention.

BRENT WILSON, VTN Nevada, 2727 South Rainbow Boulevard, appeared on behalf of the applicant and concurred with staff recommendations.

No one appeared in opposition.

There was no discussion.

MAYOR PRO TEM REESE declared the Public Hearing closed.

(1:49 – 1:50)

**3-1553**

CITY COUNCIL MEETING OF OCTOBER 1, 2003  
Planning and Development Department  
Item 102 – VAC-2743

**CONDITIONS:**

1. A Drainage Plan and Technical Drainage Study or other related drainage information acceptable to the Flood Control Section must be submitted to and approved prior to the recordation of the Order of Vacation for this application. Appropriate drainage easements shall be reserved if recommended by the approved Drainage Plan/Study. The Drainage Study required for the Cascade and Cascade II subdivisions may be used to satisfy this requirement.
2. All existing public improvements, if any, adjacent to and in conflict with this vacation application are to be modified, as necessary, at the applicant's expense prior to the recordation of an Order of Relinquishment of Interest.
3. Prior to the recordation of an Order of Relinquishment of Interest all public improvements, if any, adjacent to and in conflict with this vacation application are to be modified, as necessary, at the applicant's expense, or such modifications shall be guaranteed by provision of sufficient security for the performance thereof in accordance with the Subdivision Ordinance of the City of Las Vegas.
4. Development of these sites shall comply with all applicable conditions of approval for the Cascade and Cascade II subdivisions.
5. All development shall be in conformance with code requirements and design standards of all City departments.
6. If the Order of Relinquishment of Interest is not recorded within one (1) year after approval by the City Council and the Planning and Development Director does not grant an Extension of Time, then approval will terminate and a new petition must be submitted.

**AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT**

**CITY COUNCIL MEETING OF: OCTOBER 1, 2003**

**DEPARTMENT: PLANNING & DEVELOPMENT**

**DIRECTOR: ROBERT S. GENZER**

☐

**CONSENT**

☒

**DISCUSSION**

**SUBJECT:**

VACATION - PUBLIC HEARING - VAC-2749 - L M LAS VEGAS, LIMITED LIABILITY COMPANY - Petition to Vacate a portion of a public sewer and drainage easement generally located at the intersection of Parkmoor Avenue and Fern Meadow Street, Ward 6 (Mack). The Planning Commission (6-0 vote) and staff recommend APPROVAL

**PROTESTS RECEIVED BEFORE:**

**Planning Commission Mtg.**

**0**

**City Council Meeting**

**0**

**APPROVALS RECEIVED BEFORE:**

**Planning Commission Mtg.**

**0**

**City Council Meeting**

**0**

**RECOMMENDATION:**

The Planning Commission (6-0 vote) and staff recommend APPROVAL, subject to conditions.

**BACKUP DOCUMENTATION:**

1. Location Map
2. Conditions For This Application
3. Staff Report

**MOTION:**

**MACK – APPROVED subject to conditions – UNANIMOUS**

**MINUTES:**

MAYOR GOODMAN declared the Public Hearing open.

BRENT WILSON, VTN Nevada, 2727 South Rainbow Boulevard, appeared on behalf of the applicant and concurred with staff recommendations.

No one appeared in opposition.

There was no further discussion.

MAYOR GOODMAN declared the Public Hearing closed.

(1:50 – 1:51)

**3-1595**

CITY COUNCIL MEETING OF OCTOBER 1, 2003  
Planning and Development Department  
Item 103 – VAC-2743

**CONDITIONS:**

1. A Drainage Plan and Technical Drainage Study or other related drainage information acceptable to the Flood Control Section must be submitted to and approved by the Department of Public Works prior to the recordation of the Order of Vacation for this application. Appropriate drainage easements shall be reserved if recommended by the approved Drainage Plan/Study. The Drainage study required with the Elkhorn/Grand Canyon subdivision may be used to satisfy this condition.
2. Provide an alternate path for public sewer main.
3. All public improvements, if any, adjacent to and in conflict with this vacation application are to be modified, as necessary, at the applicant's expense prior to the recordation of an Order of Vacation.
4. Prior to the recordation of an Order of Vacation all public improvements, if any, adjacent to and in conflict with this vacation application are to be modified, as necessary, at the applicant's expense, or such modifications shall be guaranteed by provision of sufficient security for the performance thereof in accordance with the Subdivision Ordinance of the City of Las Vegas.
5. Development of these sites shall comply with all applicable conditions of approval for the Elkhorn/Grand Canyon Subdivision.
6. All development shall be in conformance with code requirements and design standards of all City departments.
7. If the Order of Vacation is not recorded within one (1) year after approval by the City Council and the Planning and Development Director does not grant an Extension of Time, then approval will terminate and a new petition must be submitted.

**AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT**

**CITY COUNCIL MEETING OF: OCTOBER 1, 2003**

**DEPARTMENT: PLANNING & DEVELOPMENT**

**DIRECTOR: ROBERT S. GENZER**

☐

**CONSENT**

☒

**DISCUSSION**

**SUBJECT:**

VACATION - PUBLIC HEARING - VAC-2752 - PECCOLE NEVADA CORPORATION - Petition to Vacate a twenty-foot wide public drainage easement generally located on the northeast corner of North Hualapai Way and West Sahara Avenue, Ward 2 (L.B. McDonald). The Planning Commission (6-0 vote) and staff recommend APPROVAL

**PROTESTS RECEIVED BEFORE:**

**Planning Commission Mtg.**

**0**

**City Council Meeting**

**0**

**APPROVALS RECEIVED BEFORE:**

**Planning Commission Mtg.**

**0**

**City Council Meeting**

**0**

**RECOMMENDATION:**

The Planning Commission (6-0 vote) and staff recommend APPROVAL, subject to conditions.

**BACKUP DOCUMENTATION:**

1. Location Map
2. Conditions For This Application
3. Staff Report

**MOTION:**

**L.B. McDONALD – APPROVED subject to conditions – UNANIMOUS**

**MINUTES:**

MAYOR GOODMAN declared the Public Hearing open.

CLYDE SPITZE, Amec, 4670 South Fort Apache Road, appeared on behalf of the applicant and concurred with staff recommendations.

No one appeared in opposition.

There was no further discussion.

MAYOR GOODMAN declared the Public Hearing closed.

(1:51 – 1:52)

**3-1629**

CITY COUNCIL MEETING OF OCTOBER 1, 2003  
Planning and Development Department  
Item 104 – VAC-2752

**CONDITIONS:**

1. A Drainage Plan and Technical Drainage Study or other related drainage information acceptable to the Flood Control Section must be submitted to and approved by the Department of Public Works prior to the recordation of the Order of Vacation for this application. Appropriate drainage easements shall be reserved if recommended by the approved Drainage Plan/Study. The Drainage study required with the Site Development Plan Review (SDR-2286) or Parcel Map (PMP-1902) may be used to satisfy this condition.
2. All public improvements, if any, adjacent to and in conflict with this vacation application are to be modified, as necessary, at the applicant's expense prior to the recordation of an Order of Vacation.
3. Prior to the recordation of an Order of Vacation all public improvements, if any, adjacent to and in conflict with this vacation application are to be modified, as necessary, at the applicant's expense, or such modifications shall be guaranteed by provision of sufficient security for the performance thereof in accordance with the Subdivision Ordinance of the City of Las Vegas.
4. Development of this site shall comply with all applicable conditions of approval for Site Development Plan Review SDR-2286 and all other subsequent site-related actions.
5. All development shall be in conformance with code requirements and design standards of all City departments.
6. If the Order of Vacation is not recorded within one (1) year after approval by the City Council and the Planning and Development Director does not grant an Extension of Time, then approval will terminate and a new petition must be submitted.

**AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT**  
**CITY COUNCIL MEETING OF: OCTOBER 1, 2003**

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**DEPARTMENT: PLANNING & DEVELOPMENT****DIRECTOR: ROBERT S. GENZER**☐**CONSENT**☒**DISCUSSION****SUBJECT:**

REQUIRED THREE YEAR REVIEW - VARIANCE - PUBLIC HEARING - **RQR-2785 - RANCHO OASIS, LIMITED PARTNERSHIP** - Required Three Year Review of an approved Variance [V-0023-95(1)] WHICH ALLOWED TWO 14 FOOT BY 48 FOOT OFF-PREMISE ADVERTISING (BILLBOARD) SIGNS at 2951 North Rancho Drive (APN: 138-13-601-019) C-2 (General Commercial) Zone, Ward 5 (Weekly). The Planning Commission (6-0 vote) and staff recommend APPROVAL

**PROTESTS RECEIVED BEFORE:**

**Planning Commission Mtg.**  
**City Council Meeting**

<b>0</b>
<b>0</b>

**APPROVALS RECEIVED BEFORE:**

**Planning Commission Mtg.**  
**City Council Meeting**

<b>1</b>
<b>0</b>

**RECOMMENDATION:**

The Planning Commission (6-0 vote) and staff recommend APPROVAL, subject to conditions.

**BACKUP DOCUMENTATION:**

1. Location Map
2. Conditions For This Application
3. Staff Report

**MOTION:**

**WEEKLY – APPROVED subject to conditions – UNANIMOUS with GOODMAN abstaining due to a potential conflict because partners in his law office are negotiating with one of the sign companies**

**MINUTES:**

MAYOR GOODMAN declared the Public Hearing open and disclosed his abstention.

HAROLD FOSTER, 3230 Polaris Avenue, appeared on behalf of the applicant and concurred with staff conditions.

TODD FARLOW, 250 North 19<sup>th</sup> Street, expressed concern with regard to five year reviews because potential problems could occur before that time. Constant reviews should be conducted to keep the area clean. DEPUTY CITY ATTORNEY BRYAN SCOTT informed the Council that if any problems arise the item can be brought back to Council prior to five years.

There was no further discussion.

CITY COUNCIL MEETING OF OCTOBER 1, 2003  
Planning and Development Department  
Item 105 – RQR-2785

**MINUTES – Continued:**

MAYOR PRO TEM REESE declared the Public Hearing closed.

(1:52 – 1:54)

**3-1659**

**CONDITIONS:**

1. This Variance shall be reviewed in five (5) years at which time the City Council may require the off-premise advertising (billboard) sign be removed. The applicant shall be responsible for notification costs of the review. Failure to pay the City for these costs may result in a requirement that the off-premise advertising (billboard) sign is removed.
2. Remove the sign (PROPANE) from the support pole of the off-premise advertising (billboard) sign with 10 days of final approval by City Council. Signs shall not be permitted on the support poles of the billboards.
3. The off-premise advertising (billboard) sign and its supporting structure shall be properly maintained and kept free of graffiti at all times. Failure to perform the required maintenance may result in fines and/or removal of the off-premise advertising (billboard) sign.
4. The property owner shall keep the property properly maintained and graffiti-free at all times. Failure to perform required maintenance may result in fines and/or removal of the off-premise advertising sign.
5. If the existing off-premise advertising sign structure is removed, this Variance shall be expunged and a new off-premise advertising sign structure shall not be erected in the same location unless: (1) a new Special Use Permit is approved for the new structure by the City Council, or (2) the location is in compliance with all applicable standards of Title 19 including, but not limited to, distance separation requirements, or (3) a Variance to the applicable standards of Title 19 has been approved for the new structure by the City Council.
6. Only one advertising sign is permitted per sign face.
7. All City Code requirements and design standards of all City Departments shall be satisfied.



**AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT**

CITY COUNCIL MEETING OF: OCTOBER 1, 2003

**DEPARTMENT: PLANNING & DEVELOPMENT****DIRECTOR: ROBERT S. GENZER**☐**CONSENT**☒**DISCUSSION****SUBJECT:**

**VARIANCE - PUBLIC HEARING - VAR-2765 - TRINITY UNITED METHODIST CHURCH** - Appeal filed by Howard, Meier & Fine, LLC from the Approval by the Planning Commission of a request for a Variance TO ALLOW A TWENTY-ONE FOOT TALL, EIGHTY SQUARE FOOT FREESTANDING SIGN WITH AN ELECTRONIC MESSAGE UNIT WHERE A TWELVE FOOT TALL, FORTY-EIGHT SQUARE FOOT FREESTANDING SIGN IS PERMITTED AND WHERE ELECTRONIC MESSAGE BOARDS ARE PROHIBITED at 6151 West Charleston Boulevard (APN: 163-01-101-001), C-V (Civic) Zone, Ward 1 (Moncrief). Staff recommends DENIAL. The Planning Commission (4-2 vote) recommends APPROVAL (**NOTE: The applicant is appealing the condition that eliminates the message board.**)

**PROTESTS RECEIVED BEFORE:**

**Planning Commission Mtg.**  
**City Council Meeting**

<b>3</b>
<b>1</b>

**APPROVALS RECEIVED BEFORE:**

**Planning Commission Mtg.**  
**City Council Meeting**

<b>164</b>
<b>2</b>

**RECOMMENDATION:**

Staff recommends DENIAL. The Planning Commission (4-2 vote) recommends APPROVAL, subject to conditions.

**BACKUP DOCUMENTATION:**

1. Location Map
2. Conditions For This Application
3. Staff Report
4. 2 Appeal letters filed by Howard, Meier & Fine, LLC (original appeal & letter of clarification)
5. Letter filed by Howard, Meier & Fine, LLC explaining the distance of the sign from Residentially Zoned property
6. Survey Map provided by Howard, Meier & Fine, LLC
7. Back up referenced from the 8/28/2003 Planning Commission meeting Item 32
8. Submitted after final agenda – Protest letter from John and Karen Hazard
9. Submitted at City Council – Support letter from Ann Harrison
10. Submitted at City Council – Support letter with four signatures

**MOTION:**

**MONCRIEF – GRANTED the Appeal; thereby APPROVING the Variance subject to conditions, and amending Condition 3 as follows:**

3. All development shall be in conformance with the site plan and sign elevations.  
 – **UNANIMOUS** with GOODMAN abstaining due to a potential conflict because partners in his law office are negotiating with one of the sign companies

CITY COUNCIL MEETING OCTOBER 1, 2003  
Planning and Development Department  
Item 106 – VAR-2765

**MINUTES:**

MAYOR GOODMAN declared the Public Hearing open and disclosed his abstention.

PRESTON HOWARD, 2700 West Sahara Avenue, appeared on behalf of the applicant. He explained that the issue brought forward at the Planning Commission related to height, size and permission for an electronic reader board. Staff advised the Planning Commission that those three requests were within the purview of the Planning Commission to grant. However, with respect to the electronic reader board, his understanding was that the sign was going to be within 200 feet of residentially zoned properties. Subsequent to the meeting, it came to staff's attention that the existing church sign is 201 feet from residential properties. In fact, the new sign will be 10 feet to the east of that area, putting the sign at 211 feet from the nearest residential properties. MR. HOWARD submitted for the record a support letter from the owner of a residentially zoned vacant lot indicating that the property will not be developed for residential use.

TODD FARLOW, 240 North 19<sup>th</sup> Street, commented that some areas of town could experience a proliferation of billboards if the Council is not careful.

SUSAN SAVALA, 1913 Eliminator Drive, appeared on behalf of the Torrey Pines/Oakey Central Neighborhood Association and submitted for the record a letter in support of the electronic reader board. She suggested that the sign could be used in the event of emergencies, similar to the Amber Alert program.

COUNCILWOMAN MONCRIEF stated that the sign is 200 feet from residential properties and that all four corners are C-1 or C-2, with the exception of the Civic area. She felt the sign is compatible with the surrounding areas.

MARGO WHEELER, Deputy Director, Planning and Development Department, verified with COUNCILWOMAN MONCRIEF that her intent was to allow the electronic reader board and recommended that Condition 3 be revised to eliminate the last two sentences. MR. HOWARD concurred with the amendment.

No one appeared in opposition.

There was no further discussion.

MAYOR PRO TEM REESE declared the Public Hearing closed.

(1:54 – 2:01)

3-1754

CITY COUNCIL MEETING OF OCTOBER 1, 2003  
Planning and Development Department  
Item 106 – VAR-2765

**CONDITIONS:**

Planning and Development

1. This Variance shall expire two years from the date of final approval, unless it is exercised or an Extension of Time is granted by the City Council.
2. All existing freestanding ground signs and monument signs must be removed prior to the final inspection of the new freestanding sign.
3. All development shall be in conformance with the site plan and sign elevations. The electronic message unit is not permitted. The sign elevations shall be modified to not show the electronic message unit.

Public Works

4. The proposed sign shall not be located within public right-of-way, existing or proposed public sewer or drainage easements, or interfere with Site Visibility Restriction Zones.

**AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT**

CITY COUNCIL MEETING OF: OCTOBER 1, 2003

**DEPARTMENT: PLANNING & DEVELOPMENT****DIRECTOR: ROBERT S. GENZER**☐**CONSENT**☒**DISCUSSION****SUBJECT:**

VARIANCE - PUBLIC HEARING - VAR-2782 - ERNEST A. BECKER, IV AND KATHLEEN C. BECKER FAMILY TRUST - Request for a Variance TO ALLOW A 39-FOOT REAR SETBACK WHERE RESIDENTIAL ADJACENCY STANDARDS REQUIRE A 57-FOOT REAR SETBACK for a Convenience Store (with fuel pumps) adjacent to the southeast corner of the North El Capitan Way alignment, proposed North Durango Drive, and West Centennial Parkway (APN: 125-29-501-001), T-C (Town Center) Zone [SC-TC (Service Commercial - Town Center) Land Use Designation], Ward 6 (Mack). The Planning Commission (6-0 vote) and staff recommend APPROVAL

**PROTESTS RECEIVED BEFORE:****Planning Commission Mtg.****5****City Council Meeting****1****APPROVALS RECEIVED BEFORE:****Planning Commission Mtg.****0****City Council Meeting****0****RECOMMENDATION:**

The Planning Commission (6-0 vote) and staff recommend APPROVAL, subject to conditions.

**BACKUP DOCUMENTATION:**

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Back up referenced from the 8/28/2003 Planning Commission meeting Item 13
5. Submitted after final agenda – Protest letter from Matthew R. Berhold

**MOTION:**

**BROWN – APPROVED subject to conditions – UNANIMOUS with MACK abstaining because the principals involved in this application are also principals of Collective Gaming, a client of MK<sup>2</sup>, with which he is affiliated.**

NOTE: COUNCILWOMAN McDONALD disclosed her relationship with Station Casinos Board of Directors and that Item 110 [SUP-2544] involves a privileged license for gaming. However, there has been no discussion and there will be no material impact on Station Casinos.

NOTE: MAYOR GOODMAN disclosed that he had a professional relationship with the applicant many years ago, but it would not affect his ability to vote on the item.

**MINUTES:**

MAYOR GOODMAN declared the Public Hearing open.

CITY COUNCIL MEETING OF OCTOBER 1, 2003  
Planning and Development Department  
Item 107 – VAR-2782

**MINUTES – Continued:**

ERNIE BECKER, the applicant, 50 South Jones Boulevard, was present and concurred with staff recommendations with two exceptions, one being the requirement to provide a trash enclosure and the second being the hours of operation for the car wash. MR. BECKER indicated that the Planning Commission approved the car wash for 24-hour operation. Further, the provision of a trash enclosure posed security and maintenance issues.

TODD FARLOW, 240 North 19<sup>th</sup> Street, verified with staff that the trails are in place. He further commented that a resident expressed concern at the Planning Commission meeting regarding the provision of security on site because of its proximity to the high school. MR. BECKER replied that all of their properties are policed.

JOYCE DELIN, 6355 North Juliano Road, stated that she would be affected by the gas station because of lights, noise, gambling, and the sale of alcohol. She indicated that her neighbor recently sold his property to MR. BECKER and she is not aware what is planned for that property. All of this will impact the value of her home. MAYOR GOODMAN explained that the gaming is restricted to seven slot machines and the sale of alcohol is limited to beer and wine only.

COUNCILMAN BROWN asked MS. DELIN if the realtor discussed the Town Center or the S Curve. MS. DELIN replied that she was told there would be professional uses only. COUNCILMAN BROWN asked her to forward the name of the realtor to his office. He further explained that in 1997 MR. BECKER attended all public hearings held on Town Center, and it is a clear public record that his intentions were to do exactly what is being presented today. This intersection has been planned for years, and it will be a very heavily traveled intersection when the Beltway and Centennial Parkway open. Further, when the Town Center lines were drawn this particular project was proposed specifically for this use.

There was no further discussion.

MAYOR GOODMAN declared the Public Hearing closed.

NOTE: Discussion pertaining to Item 107 [VAR-2782], Item 108 [SUP-2541], Item 109 [SUP-2543], Item 110 [SUP-2544], Item 111 [SUP-2545] and Item 112 [SDR-2540] was held under Item 107 [VAR-2782]. See Item 110 [SUP-2544] and Item 112 [SDR-2540] for additional discussion.

(2:01 – 2:12)  
**3-1988**

CITY COUNCIL MEETING OF OCTOBER 1, 2003  
Planning and Development Department  
Item 107 – VAR-2782

**CONDITIONS:**

Planning and Development

1. Approval of and conformance to the Conditions of Approval for Special Use Permit (SUP-2545) and Site Development Plan Review (SDR-2540).
2. This Variance shall expire two years from the date of final approval, unless it is exercised or an Extension of Time is granted by the City Council.

**AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT**  
**CITY COUNCIL MEETING OF: OCTOBER 1, 2003****DEPARTMENT: PLANNING & DEVELOPMENT****DIRECTOR: ROBERT S. GENZER**☐**CONSENT**☒**DISCUSSION****SUBJECT:**

SPECIAL USE PERMIT RELATED TO VAR-2782 - PUBLIC HEARING - **SUP-2541 - ERNEST A. BECKER, IV AND KATHLEEN C. BECKER FAMILY TRUST** - Request for a Special Use Permit FOR ALCOHOLIC BEVERAGE SALES/LIQUOR STORE IN CONJUNCTION WITH A PROPOSED CONVENIENCE STORE (WITH FUEL PUMPS) adjacent to the southeast corner of the North El Capitan Way alignment, proposed North Durango Drive, and West Centennial Parkway (APN: 125-29-501-001), T-C (Town Center) Zone, Ward 6 (Mack). The Planning Commission (5-1 vote) and staff recommend APPROVAL

**PROTESTS RECEIVED BEFORE:**

**Planning Commission Mtg.**  
**City Council Meeting**

<b>6</b>
<b>1</b>

**APPROVALS RECEIVED BEFORE:**

**Planning Commission Mtg.**  
**City Council Meeting**

<b>0</b>
<b>0</b>

**RECOMMENDATION:**

The Planning Commission (5-1 vote) and staff recommend APPROVAL, subject to conditions.

**BACKUP DOCUMENTATION:**

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Back up referenced from the 8/28/2003 Planning Commission meeting Item 14
5. Submitted after final agenda – Protest letter from Matthew R. Berhold filed under Item 107

**MOTION:**

**BROWN – APPROVED subject to conditions – UNANIMOUS with MACK abstaining because the principals involved in this application are also principals of Collective Gaming, a client of MK<sup>2</sup>, with which he is affiliated.**

NOTE: COUNCILWOMAN McDONALD disclosed her relationship with Station Casinos Board of Directors and that Item 110 [SUP-2544] involves a privileged license for gaming. However, there has been no discussion and there will be no material impact on Station Casinos.

NOTE: MAYOR GOODMAN disclosed that he had a professional relationship with the applicant many years ago, but it will affect his ability to vote on the item.

**MINUTES:**

MAYOR GOODMAN declared the Public Hearing open.

CITY COUNCIL MEETING OF OCTOBER 1, 2003  
Planning and Development Department  
Item 108 – SUP-2541

**MINUTES – Continued:**

ERNIE BECKER, the applicant, 50 South Jones Boulevard, was present.

There was no discussion.

MAYOR GOODMAN declared the Public Hearing closed.

NOTE: Discussion pertaining to Item 107 [VAR-2782], Item 108 [SUP-2541], Item 109 [SUP-2543], Item 110 [SUP-2544], Item 111 [SUP-2545] and Item 112 [SDR-2540] was held under Item 107 [VAR-2782]. See Item 110 [SUP-2544] and Item 112 [SDR-2540] for additional discussion.

(2:01 – 2:12)

**3-1988**

**CONDITIONS:**

Planning and Development

1. Approval of and conformance to the Conditions of Approval for Site Development Plan Review (SDR-2540).
2. This Special Use Permit shall expire two years from the date of final approval, unless it is exercised or an Extension of Time is granted by the City Council.
3. Conformance to all Minimum Requirements as listed in the Town Center Development Standards Manual for an Alcoholic Beverage Sales/Liquor Store use.
4. Approval of this Special Use Permit does not constitute approval of a liquor license.
5. The sale of alcoholic beverages shall be limited to the sale of beer and wine only.
6. The sale of individual containers of any size of beer, wine coolers or screw cap wine is prohibited. All such products shall remain in their original configurations as shipped by the manufacturer. Further, no repackaging of containers into groups smaller than the original shipping container size shall be permitted.
7. This business shall operate in conformance to Chapter 6.50 of the City of Las Vegas Municipal Code.
8. All City Code requirements and design standards of all City departments must be satisfied.



**AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT**

CITY COUNCIL MEETING OF: OCTOBER 1, 2003

**DEPARTMENT: PLANNING & DEVELOPMENT****DIRECTOR: ROBERT S. GENZER**☐**CONSENT**☒**DISCUSSION****SUBJECT:**

SPECIAL USE PERMIT RELATED TO VAR-2782 AND SUP-2541 - PUBLIC HEARING - SUP-2543 - **ERNEST A. BECKER, IV AND KATHLEEN C. BECKER FAMILY TRUST** - Request for a Special Use Permit FOR AN AUTOMATIC CAR WASH IN CONJUNCTION WITH A PROPOSED CONVENIENCE STORE (WITH FUEL PUMPS) adjacent to the southeast corner of the North El Capitan Way alignment, proposed North Durango Drive, and West Centennial Parkway (APN: 125-29-501-001), T-C (Town Center) Zone, Ward 6 (Mack). The Planning Commission (6-0 vote) and staff recommend APPROVAL

**PROTESTS RECEIVED BEFORE:**

**Planning Commission Mtg.**  
**City Council Meeting**

<b>6</b>
<b>1</b>

**APPROVALS RECEIVED BEFORE:**

**Planning Commission Mtg.**  
**City Council Meeting**

<b>0</b>
<b>0</b>

**RECOMMENDATION:**

The Planning Commission (6-0 vote) and staff recommend APPROVAL, subject to conditions.

**BACKUP DOCUMENTATION:**

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Back up referenced from the 8/28/2003 Planning Commission meeting Item 15
5. Submitted after final agenda – Protest letter from Matthew R. Berhold filed under Item 107

**MOTION:**

**BROWN – APPROVED subject to conditions – UNANIMOUS with MACK abstaining because the principals involved in this application are also principals of Collective Gaming, a client of MK<sup>2</sup>, with which he is affiliated.**

NOTE: COUNCILWOMAN McDONALD disclosed her relationship with Station Casinos Board of Directors and that Item 110 [SUP-2544] involves a privileged license for gaming. However, there has been no discussion and there will be no material impact on Station Casinos.

NOTE: MAYOR GOODMAN disclosed that he had a professional relationship with the applicant many years ago, but it would not affect his ability to vote on the item.

**MINUTES:**

MAYOR GOODMAN declared the Public Hearing open.

CITY COUNCIL MEETING OF OCTOBER 1, 2003  
Planning and Development Department  
Item 109 – SUP-2543

**MINUTES – Continued:**

ERNIE BECKER, the applicant, 50 South Jones Boulevard, was present.

ROBERT GENZER, Director, Planning and Development Department, clarified that staff originally imposed a condition limiting the hours of the car wash. While staff recognized that ultimately this area is part of the commercial portion of Town Center, at the present time there are homes located in that area. However, the Planning Commission removed that condition in its entirety.

There was no further discussion.

MAYOR GOODMAN declared the Public Hearing closed.

NOTE: Discussion pertaining to Item 107 [VAR-2782], Item 108 [SUP-2541], Item 109 [SUP-2543], Item 110 [SUP-2544], Item 111 [SUP-2545] and Item 112 [SDR-2540] was held under Item 107 [VAR-2782]. See Item 110 [SUP-2544] and Item 112 [SDR-2540] for additional discussion.

(2:01 – 2:12)

**3-1988**

**CONDITIONS:**

Planning and Development

1. Approval of and conformance to the Conditions of Approval for Site Development Plan Review (SDR-2540) including the car wash portion of the project.
2. This Special Use Permit shall expire two years from the date of final approval, unless it is exercised or an Extension of Time is granted by the City Council.
3. All exterior lighting shall be screened or otherwise designed so as not to shine directly onto any adjacent parcel or roadway.
4. No repair or servicing of vehicles is allowed.
5. The applicant must demonstrate that the use can be made inoperable and inaccessible to the public after business hours.
6. All City Code requirements and design standards of all City departments must be satisfied.

**AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT**

CITY COUNCIL MEETING OF: OCTOBER 1, 2003

**DEPARTMENT: PLANNING & DEVELOPMENT****DIRECTOR: ROBERT S. GENZER**☐**CONSENT**☒**DISCUSSION****SUBJECT:**

SPECIAL USE PERMIT RELATED TO VAR-2782, SUP-2541 AND SUP-2543 - PUBLIC HEARING - **SUP-2544 - ERNEST A. BECKER, IV AND KATHLEEN C. BECKER FAMILY TRUST** - Request for a Special Use Permit FOR GAMING (RESTRICTED) AND A WAIVER OF THE 330-FOOT DISTANCE SEPARATION FROM SINGLE FAMILY DETACHED DWELLINGS IN CONJUNCTION WITH A PROPOSED CONVENIENCE STORE (WITH FUEL PUMPS) adjacent to the southeast corner of the North El Capitan Way alignment, proposed North Durango Drive, and West Centennial Parkway (APN: 125-29-501-001), T-C (Town Center) Zone, Ward 6 (Mack). The Planning Commission (6-0 vote) and staff recommend APPROVAL

**PROTESTS RECEIVED BEFORE:**

**Planning Commission Mtg.**  
**City Council Meeting**

<b>6</b>
<b>1</b>

**APPROVALS RECEIVED BEFORE:**

**Planning Commission Mtg.**  
**City Council Meeting**

<b>0</b>
<b>0</b>

**RECOMMENDATION:**

The Planning Commission (6-0 vote) and staff recommend APPROVAL, subject to conditions.

**BACKUP DOCUMENTATION:**

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Back up referenced from the 8/28/2003 Planning Commission meeting Item 16
5. Submitted after final agenda – Protest letter from Matthew R. Berhold filed under Item 107

**MOTION:**

**BROWN – APPROVED subject to conditions – UNANIMOUS with MACK abstaining because the principals involved in this application are also principals of Collective Gaming, a client of MK<sup>2</sup>, with which he is affiliated.**

NOTE: COUNCILWOMAN McDONALD disclosed her relationship with Station Casinos Board of Directors and that Item 110 [SUP-2544] involves a privileged license for gaming. However, there has been no discussion and there will be no material impact on Station Casinos.

NOTE: MAYOR GOODMAN disclosed that he had a professional relationship with the applicant many years ago, but it would not affect his ability to vote on the item.

CITY COUNCIL MEETING OF OCTOBER 1, 2003  
Planning and Development Department  
Item 110 – SUP-2544\

**MINUTES:**

MAYOR GOODMAN declared the Public Hearing open.

ERNIE BECKER, the applicant, 50 South Jones Boulevard, was present.

There was no further discussion.

MAYOR GOODMAN declared the Public Hearing closed.

NOTE: Discussion pertaining to Item 107 [VAR-2782], Item 108 [SUP-2541], Item 109 [SUP-2543], Item 110 [SUP-2544], Item 111 [SUP-2545] and Item 112 [SDR-2540] was held under Item 107 [VAR-2782]. See Item 110 [SUP-2544] and Item 112 [SDR-2540] for additional discussion.

(2:01 – 2:12)  
**3-1988**

**CONDITIONS:**

Planning and Development

1. Approval of and conformance to the Conditions of Approval for Site Development Plan Review (SDR-2540).
2. This Special Use Permit shall expire two years from the date of final approval, unless it is exercised or an Extension of Time is granted by the City Council.
3. Approval of this Special Use Permit does not constitute approval of a gaming license.
4. A waiver to the 330-foot distance separation requirement from a single family detached dwelling is granted.
5. All City Code requirements and design standards of all City departments must be satisfied.

**AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT**

**CITY COUNCIL MEETING OF: OCTOBER 1, 2003**

**DEPARTMENT: PLANNING & DEVELOPMENT**

**DIRECTOR: ROBERT S. GENZER**

☐

**CONSENT**

☒

**DISCUSSION**

**SUBJECT:**

SPECIAL USE PERMIT RELATED TO VAR-2782, SUP-2541, SUP-2543 AND SUP-2544 - PUBLIC HEARING - **SUP-2545 - ERNEST A. BECKER, IV AND KATHLEEN C. BECKER FAMILY TRUST** - Request for a Special Use Permit FOR A CONVENIENCE STORE (WITH FUEL PUMPS) AND A WAIVER OF THE 330-FOOT DISTANCE SEPARATION FROM SINGLE FAMILY DETACHED DWELLINGS on 1.76 acres adjacent to the southeast corner of the North El Capitan Way alignment, proposed North Durango Drive, and West Centennial Parkway (APN: 125-29-501-001), T-C (Town Center) Zone, Ward 6 (Mack). The Planning Commission (6-0 vote) and staff recommend APPROVAL

**PROTESTS RECEIVED BEFORE:**

**Planning Commission Mtg.**

**6**

**City Council Meeting**

**1**

**APPROVALS RECEIVED BEFORE:**

**Planning Commission Mtg.**

**0**

**City Council Meeting**

**0**

**RECOMMENDATION:**

The Planning Commission (6-0 vote) and staff recommend APPROVAL, subject to conditions.

**BACKUP DOCUMENTATION:**

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Back up referenced from the 8/28/2003 Planning Commission meeting Item 17
5. Submitted after final agenda – Protest letter from Matthew R. Berhold filed under Item 107

**MOTION:**

**BROWN – APPROVED subject to conditions – UNANIMOUS with MACK abstaining because the principals involved in this application are also principals of Collective Gaming, a client of MK<sup>2</sup>, with which he is affiliated.**

NOTE: COUNCILWOMAN McDONALD disclosed her relationship with Station Casinos Board of Directors and that Item 110 [SUP-2544] involves a privileged license for gaming. However, there has been no discussion and there will be no material impact on Station Casinos.

NOTE: MAYOR GOODMAN disclosed that he had a professional relationship with the applicant many years ago, but it would not affect his ability to vote on the item.

**MINUTES:**

MAYOR GOODMAN declared the Public Hearing open.

CITY COUNCIL MEETING OF OCTOBER 1, 2003  
Planning and Development Department  
Item 111 – SUP-2545

**MINUTES – Continued:**

ERNIE BECKER, the applicant, 50 South Jones Boulevard, was present.

There was no further discussion.

MAYOR GOODMAN declared the Public Hearing closed.

NOTE: Discussion pertaining to Item 107 [VAR-2782], Item 108 [SUP-2541], Item 109 [SUP-2543], Item 110 [SUP-2544], Item 111 [SUP-2545] and Item 112 [SDR-2540] was held under Item 107 [VAR-2782]. See Item 110 [SUP-2544] and Item 112 [SDR-2540] for additional discussion.

(2:01 – 2:12)

**3-1988**

**CONDITIONS:**

Planning and Development

1. Approval of and conformance to the Conditions of Approval for Site Development Plan Review (SDR-2540).
2. This Special Use Permit shall expire two years from the date of final approval, unless it is exercised or an Extension of Time is granted by the City Council.
3. The installation and use of an outside public address or bell system is prohibited.
4. A waiver to the 330-foot distance separation requirement from a single family detached dwelling is granted.
5. Overhead lighting shall be controlled to avoid spill-over onto adjacent parcels. The lighting in the underside of the gas pump canopy must be recessed to avoid unnecessary glare and control spillover onto adjacent parcels.
6. All City Code requirements and design standards of all City departments must be satisfied.

**AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT**

CITY COUNCIL MEETING OF: OCTOBER 1, 2003

**DEPARTMENT: PLANNING & DEVELOPMENT****DIRECTOR: ROBERT S. GENZER**☐**CONSENT**☒**DISCUSSION****SUBJECT:**

SITE DEVELOPMENT PLAN REVIEW RELATED TO VAR-2782, SUP-2541, SUP-2543, SUP-2544 AND SUP-2545 - PUBLIC HEARING - **SDR-2540 - ERNEST A. BECKER IV AND KATHLEEN C. BECKER FAMILY TRUST** - Request for a Site Development Plan Review FOR A PROPOSED CONVENIENCE STORE (WITH FUEL PUMPS) AND CAR WASH; A WAIVER OF THE REQUIREMENT FOR THE BUILDING TO BE LOCATED DIRECTLY ADJACENT TO THE FRONT LANDSCAPE PLANTER AND TO ALLOW A REDUCTION IN THE AMOUNT OF PERIMETER LANDSCAPING on 1.76 acres adjacent to the southeast corner of the North El Capitan Way alignment, proposed North Durango Drive, and West Centennial Parkway (APN: 125-29-501-001), T-C (Town Center) Zone, Ward 6 (Mack). The Planning Commission (6-0 vote) and staff recommend APPROVAL

**PROTESTS RECEIVED BEFORE:**

**Planning Commission Mtg.**  
**City Council Meeting**

<b>5</b>
<b>1</b>

**APPROVALS RECEIVED BEFORE:**

**Planning Commission Mtg.**  
**City Council Meeting**

<b>0</b>
<b>0</b>

**RECOMMENDATION:**

The Planning Commission (6-0 vote) and staff recommend APPROVAL, subject to conditions.

**BACKUP DOCUMENTATION:**

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Back up referenced from the 8/28/2003 Planning Commission meeting Item 18
5. Submitted after final agenda – Protest letter from Matthew R. Berhold filed under Item 107

**MOTION:**

**BROWN – APPROVED subject to conditions and amending Condition 17 as follows:**

- 17. All mechanical equipment, air conditioners and trash areas shall be fully screened in views from the abutting streets and residential dwellings.**  
**– UNANIMOUS with MACK abstaining because the principals involved in this application are also principals of Collective Gaming, a client of MK<sup>2</sup>, with which he is affiliated.**

NOTE: COUNCILWOMAN McDONALD disclosed her relationship with Station Casinos Board of Directors and that Item 110 [SUP-2544] involves a privileged license for gaming. However, there has been no discussion and there will be no material impact on Station Casinos.

NOTE: MAYOR GOODMAN disclosed that he had a professional relationship with the applicant many years ago, but it would not affect his ability to vote on the item.

CITY COUNCIL MEETING OF OCTOBER 1, 2003  
Planning and Development Department  
Item 112 – SDR-2540

**MINUTES:**

MAYOR GOODMAN declared the Public Hearing open.

ERNIE BECKER, the applicant, 50 South Jones Boulevard, was present.

COUNCILMAN BROWN indicated he is not certain what will ultimately happen in the surrounding parcels; therefore, he supported the applicant's request not to cover the trash enclosure by deleting the second sentence in Condition #17. MR. BECKER concurred.

Regarding MS. DELIN'S comments about the realtor not disclosing the zoning, COUNCILMAN BROWN asked DEPUTY CITY ATTORNEY BRYAN SCOTT if the City has any recourse if a realtor is deceptive and fails to make the proper disclosures.

DEPUTY CITY ATTORNEY BRYAN SCOTT replied that complete disclosure is required for new developments. However, that is not the case for pre-owned homes. Only something toxic, such as mold must be disclosed. If a buyer has a specific question regarding the zoning and is not told, there may be a cause for action. COUNCILMAN BROWN commented that Las Vegas enjoys a very strong realtor group association and there must be some kind of ethical code as far as disclosures.

There was no further discussion.

MAYOR GOODMAN declared the Public Hearing closed.

NOTE: Discussion pertaining to Item 107 [VAR-2782], Item 108 [SUP-2541], Item 109 [SUP-2543], Item 110 [SUP-2544], Item 111 [SUP-2545] and Item 112 [SDR-2540] was held under Item 107 [VAR-2782]. See Item 110 [SUP-2544] and Item 112 [SDR-2540] for additional discussion.

(2:01 – 2:12)

**3-1988**

**CONDITIONS:**

Planning and Development

1. This Site Development Plan Review shall expire two years from date of final approval unless it is exercised or an Extension of Time is granted by the City Council.



CITY COUNCIL MEETING OF OCTOBER 1, 2003  
Planning and Development Department  
Item 112 – SDR-2540

**CONDITIONS – Continued:**

2. Approval of and conformance to the Conditions of Approval for Special Use Permit (SUP-2545).
3. A continuous internal pedestrian and handicapped accessible walkway is to be provided from the perimeter public sidewalk to the customer entrance.
4. Submit revised north and south elevations of the car wash to the Planning and Development Department for review and approval prior to the submittal of any building permits depicting the same façade articulation as on the west elevation of the convenience store (include the Cultured Stone pilasters, expansion joints, and stucco banding).
5. Neon lighting may not be used as an exterior material and the elevations shall be revised to remove any reference to neon lighting. Revised elevations will be required to be submitted as part of the building permit application process.
6. A revised landscaping plan shall be submitted to the Planning and Development Department for review and approval, prior to approval of any permits on this site to reflect the correct tree selection and spacing within the planter setback area, behind the sidewalk along the Centennial Parkway frontage, as required in the Town Center Development Standards or an acceptable alternative. The tree plantings within the four-foot amenity zone adjacent to Centennial Parkway shall be modified to provide one Palm Tree every 35 feet except in the area for the bus stop. The size of the trees shall comply with the Town Center Standards. Additionally, one tree shall be added to the parking lot landscape planter located at the southwest corner of the building.
7. The required trail and landscaping along the El Capitan Way (proposed Durango Drive) frontage shall be completed along the entire property and not just in the area for the proposed development (phase 1).
8. Per Map No. 7 of the Transportation Trails Element of the General Plan, bike lanes are required along Centennial Parkway and bike routes are required along El Capitan Way (proposed Durango Drive).
9. The sidewalk shall continue onto the east side of the entrance on Centennial Parkway.
10. A landscaping plan must be submitted prior to or at the same time application is made for a building permit. The developer shall be required to install the landscape requirements for the median within El Capitan Way (Durango Drive alignment) and Centennial Parkway where adjacent to the subject site.

CITY COUNCIL MEETING OF OCTOBER 1, 2003  
Planning and Development Department  
Item 112 – SDR-2540

**CONDITIONS – Continued:**

11. All sidewalk patterns and street corners shall conform to the Town Center Development Standards for Special Pavement and Sidewalk Treatments.
12. A bicycle rack shall be provided in conjunction with the bus stop and one near the entrance to the convenience store.
13. Vacuum cleaners are not permitted adjacent to the convenience store.
14. An open space analysis table shall be submitted as part of the site plan submittal package for the southern portion of the site. The overall development will be required to adhere to the minimum 20% open space requirement.
15. Parking lot lighting standards shall be no more than 20 feet in height and shall utilize 'shoe-box' fixtures and downward-directed lights. Wall pack lighting shall utilize 'shoe-box' fixtures and downward-directed lights on the proposed buildings. Overhead lighting shall be controlled to avoid spill-over onto adjacent properties. All lighting shall be directed away from residential property or screened. The lighting in the underside of the gas pump canopy must be recessed to avoid unnecessary glare and control spillover.
16. Landscaping and a permanent underground sprinkler system shall be installed as required by the Planning Commission or City Council and shall be permanently maintained in a satisfactory manner.
17. All mechanical equipment, air conditioners and trash areas shall be fully screened in views from the abutting streets and residential dwellings. The trash enclosure shall include a roof that matches the building materials of the main building or an acceptable alternative to the Planning and Development Department.
18. All utility boxes exceeding 27 cubic feet in size shall meet the standards of Title 19.12.050.
19. A fully operational fire protection system, including fire apparatus roads, fire hydrants and water supply, shall be installed and shall be functioning prior to construction of any combustible structures.
20. All City Code requirements and design standards of all City departments must be satisfied.

CITY COUNCIL MEETING OF OCTOBER 1, 2003  
Planning and Development Department  
Item 112 – SDR-2540

**CONDITIONS – Continued:**

21. All development shall be in conformance with the site plan and building elevations, except as amended by conditions herein.

Public Works

22. Dedicate 45 feet of right-of-way adjacent to this site for Centennial Parkway prior to the issuance of any permits.
23. Construct half-street improvements including appropriate overpaving, if legally able, on Centennial Parkway and Durango Drive (AKA the El Capitan Way alignment) adjacent to this site concurrent with development of this site. Install all appurtenant underground facilities, if any, adjacent to this site needed for the future traffic signal system concurrent with development of this site. All existing paving damaged or removed by this development shall be restored at its original location and to its original width concurrent with development of this site.
24. Meet with the Traffic Engineering Representative in Land Development for assistance in the possible redesign of the proposed driveway access, on site circulation and parking lot layout prior to the submittal of any construction plans or the issuance of any permits, whichever may occur first. Driveways shall be designed, located and constructed in accordance with Standard Drawing #222A.
25. A Traffic Impact Analysis must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits, submittal of any construction drawings. Comply with the recommendations of the approved Traffic Impact Analysis prior to occupancy of the site. The City shall determine area traffic mitigation contribution requirements based upon information provided in the approved Traffic Impact Analysis; such monies shall be contributed prior to the issuance of any permits for this site. The Traffic Impact Analysis shall also include a section addressing Standard Drawings #234.1 #234.2 and #234.3 to determine additional right-of-way requirements for bus turnouts adjacent to this site, if any; dedicate all areas recommended by the approved Traffic Impact Analysis. All additional rights-of-way required by Standard Drawing #201.1 for exclusive right turn lanes and dual left turn lanes shall be dedicated prior to or concurrent with the commencement of on-site development activities unless specifically noted as not required in the approved Traffic Impact Analysis. If additional rights-of-way are not required and Traffic Control devices are or

CITY COUNCIL MEETING OF OCTOBER 1, 2003  
Planning and Development Department  
Item 112 – SDR-2540

**CONDITIONS – Continued:**

may be proposed at this site outside of the public right-of-way, all necessary easements for the location and/or access of such devices shall be granted prior to the issuance of permits for this site. Phased compliance will be allowed if recommended by the approved Traffic Impact Analysis. No recommendation of the approved Traffic Impact Analysis, nor compliance therewith, shall be deemed to modify or eliminate any condition of approval imposed by the Planning Commission or the City Council on the development of this site.

26. Landscape and maintain all unimproved rights-of-way on Centennial Parkway and El Capitan Way (new Durango Drive) adjacent to this site.
27. Submit an Encroachment Agreement for all landscaping and private improvements located in the public rights-of-way adjacent to this site prior to occupancy of this site.
28. Meet with the Flood Control Section of Public Works to determine appropriate elevations and drainage flow paths prior to the submittal of any construction drawings for this site.

**AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT**

CITY COUNCIL MEETING OF: OCTOBER 1, 2003

**DEPARTMENT: PLANNING & DEVELOPMENT****DIRECTOR: ROBERT S. GENZER**☐**CONSENT**☒**DISCUSSION****SUBJECT:**

REQUIRED ONE YEAR REVIEW - SPECIAL USE PERMIT - PUBLIC HEARING - **RQR-2790 - CLEAR CHANNEL OUTDOOR ON BEHALF OF MINI-MASTERS, INC.**  
- Required One Year Review of an approved Special Use Permit [U-0298-94(2)] WHICH ALLOWED A 14 FOOT BY 48 FOOT OFF-PREMISE ADVERTISING (BILLBOARD) SIGN at 6900 West Craig Road (APN: 138-03-602-015), C-1 (Limited Commercial) Zone, Ward 6 (Mack). The Planning Commission (5-0-1 vote) and staff recommend APPROVAL

**PROTESTS RECEIVED BEFORE:**

**Planning Commission Mtg.**  
**City Council Meeting**

<b>1</b>
<b>0</b>

**APPROVALS RECEIVED BEFORE:**

**Planning Commission Mtg.**  
**City Council Meeting**

<b>0</b>
<b>0</b>

**RECOMMENDATION:**

The Planning Commission (5-0-1 vote) and staff recommend APPROVAL, subject to conditions.

**BACKUP DOCUMENTATION:**

1. Location Map
2. Conditions For This Application
3. Staff Report

**MOTION:**

**MACK – APPROVED subject to conditions – UNANIMOUS with GOODMAN abstaining due to a potential conflict because personnel from his law firm are negotiating with one of the sign companies**

**MINUTES:**

MAYOR GOODMAN declared the Public Hearing open and disclosed his abstention.

MISTY BAIER, Clear Channel Outdoor, 1211 West Bonanza Road, appeared on behalf of the applicant and concurred with all conditions.

TODD FARLOW, 240 North 19<sup>th</sup> Street, asked when billboard signs would look similar to those on the Chelsea property.

COUNCILMAN MACK felt this area has not changed and, therefore, approved the review.

No one appeared in opposition.

There was no further discussion.

CITY COUNCIL MEETING OF OCTOBER 1, 2003  
Planning and Development Department  
Item 113 – RQR-2790

**MINUTES – Continued:**

MAYOR PRO TEM REESE declared the Public Hearing closed.

(2:14 – 2:16)

**3-2628**

**CONDITIONS:**

Planning and Development

1. This Special Use Permit shall be reviewed in five (5) years at which time the City Council may require the off-premise sign to be removed. The applicant shall be responsible for notification costs of the review. Failure to pay the City for these costs may result in a requirement that the off-premise advertising (billboard) sign is removed.
2. The off-premise advertising (billboard) sign and its supporting structure shall be properly maintained and kept free of graffiti at all times. Failure to perform the required maintenance may result in fines and/or removal of the off-premise advertising (billboard) sign.
3. The property owner shall keep the property properly maintained and graffiti-free at all times. Failure to perform required maintenance may result in fines and/or removal of the off-premise advertising sign.
4. If the existing off-premise advertising sign structure is removed, this Variance shall be expunged and a new off-premise advertising sign structure shall not be erected in the same location unless: (1) a new Special Use Permit is approved for the new structure by the City Council, or (2) the location is in compliance with all applicable standards of Title 19 including, but not limited to, distance separation requirements, or (3) a Variance to the applicable standards of Title 19 has been approved for the new structure by the City Council.
5. Only one advertising sign is permitted per sign face.
6. All City Code requirements and design standards of all City Departments shall be satisfied.

**AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT**  
**CITY COUNCIL MEETING OF: OCTOBER 1, 2003**

**DEPARTMENT: PLANNING & DEVELOPMENT**

**DIRECTOR: ROBERT S. GENZER**

☐

**CONSENT**

☒

**DISCUSSION**

**SUBJECT:**

REQUIRED ONE YEAR REVIEW - SPECIAL USE PERMIT - PUBLIC HEARING - **RQR-2792 - SENSATION SPA OF NEVADA ON BEHALF OF HOWARD JOHNSON** - Required One Year Review of an approved Special Use Permit (U-0052-02) WHICH ALLOWED AN OPEN AIR VENDING/ TRANSIENT SALES LOT at 3200 North Rancho Drive (APN: 138-12-810-005), C-2 (General Commercial) Zone, Ward 6 (Mack). Staff recommends DENIAL. The Planning Commission (6-0 vote) recommends APPROVAL

**PROTESTS RECEIVED BEFORE:**

**Planning Commission Mtg.**  
**City Council Meeting**

<b>1</b>
<b>0</b>

**APPROVALS RECEIVED BEFORE:**

**Planning Commission Mtg.**  
**City Council Meeting**

<b>0</b>
<b>0</b>

**RECOMMENDATION:**

Staff recommends DENIAL. The Planning Commission (6-0 vote) recommends APPROVAL, subject to conditions.

**BACKUP DOCUMENTATION:**

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Submitted after final agenda – Letter requesting abeyance from Sensation Spas of Nevada, Inc.

**MOTION:**

**REESE – Motion to HOLD IN ABEYANCE Item 114 [RQR-2792] to 10/15/2003, Item 131 [ZON-2457] and Item 132 [SDR-2458] to 11/5/2003 – UNANIMOUS**

**MINUTES:**

There was no discussion.

(1:03 – 1:12)  
 3-8

**AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT****CITY COUNCIL MEETING OF: OCTOBER 1, 2003****DEPARTMENT: PLANNING & DEVELOPMENT****DIRECTOR: ROBERT S. GENZER**☐**CONSENT**☒**DISCUSSION****SUBJECT:**

REQUIRED TWO YEAR REVIEW - SPECIAL USE PERMIT - PUBLIC HEARING - **RQR-2814 - FLETCHER JONES** - Required Two Year Review of an approved Special Use Permit [U-0035-93(2)] WHICH ALLOWED A 40 FOOT HIGH, 12 FOOT 6 INCH BY 17 FOOT 6 INCH OFF-PREMISE ADVERTISING (BILLBOARD) SIGN on the southeast corner of the intersection of Rancho Drive and Ann Road (APN: 125-34-501-003), C-2 (General Commercial) Zone, Ward 6 (Mack). The Planning Commission (6-0 vote) and staff recommend APPROVAL

**PROTESTS RECEIVED BEFORE:**

**Planning Commission Mtg.**  
**City Council Meeting**

<b>1</b>
<b>0</b>

**APPROVALS RECEIVED BEFORE:**

**Planning Commission Mtg.**  
**City Council Meeting**

<b>0</b>
<b>1</b>

**RECOMMENDATION:**

The Planning Commission (6-0 vote) and staff recommend APPROVAL, subject to conditions.

**BACKUP DOCUMENTATION:**

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Back up referenced from the 8/28/2003 Planning Commission meeting Item 39
5. Submitted after final agenda – Support letter from Roland Vogel

**MOTION:**

**MACK – APPROVED subject to conditions – UNANIMOUS with GOODMAN abstaining due to a potential conflict because personnel in his law firm are negotiating with one of the sign companies**

**MINUTES:**

MAYOR GOODMAN declared the Public Hearing open and disclosed his abstention.

JEFF SPECIAL, 6250 Rio Vista Street, appeared on behalf of Bob Taylor's Ranch House and Fletcher Jones and requested approval.

No one appeared in opposition.

There was no further discussion.



CITY COUNCIL MEETING OF OCTOBER 1, 2003  
Planning and Development Department  
Item 115 – RQR-2814

**MINUTES – Continued:**

MAYOR PRO TEM REESE declared the Public Hearing closed.

(2:16)

**3-2700**

**CONDITIONS:**

Planning and Development

1. This Special Use Permit shall be reviewed in five (5) years at which time the City Council may require the off-premise sign to be removed. The applicant shall be responsible for notification costs of the review. Failure to pay the City for these costs may result in a requirement that the off-premise advertising (billboard) sign is removed.
2. The off-premise advertising (billboard) sign and its supporting structure shall be properly maintained and kept free of graffiti at all times. Failure to perform the required maintenance may result in fines and/or removal of the off-premise advertising (billboard) sign.
3. The property owner shall keep the property properly maintained and graffiti-free at all times. Failure to perform required maintenance may result in fines and/or removal of the off-premise advertising sign.
4. Only one advertising sign is permitted per sign face.
5. If the existing off-premise advertising sign structure is removed, this Special Use Permit shall be expunged and a new off-premise advertising sign structure shall not be erected in the same location unless: (1) a new Special Use Permit is approved for the new structure by the City Council, or (2) the location is in compliance with all applicable standards of Title 19 of the Las Vegas Municipal Code including, but not limited to, distance separation requirements, or (3) a Variance to the applicable standards of Title 19 has been approved for the new structure by the City Council.
6. All City Code requirements and design standards of all City Departments shall be satisfied.

**AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT**  
**CITY COUNCIL MEETING OF: OCTOBER 1, 2003**

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**DEPARTMENT: PLANNING & DEVELOPMENT****DIRECTOR: ROBERT S. GENZER**☐**CONSENT**☒**DISCUSSION****SUBJECT:**

**ABEYANCE ITEM** - SPECIAL USE PERMIT - PUBLIC HEARING - SUP-2655 - CASHBACK PAYDAY LOANS ON BEHALF OF SAHARA PAVILION NORTH U. S. INCORPORATED - Request for a Special Use Permit FOR A FINANCIAL INSTITUTION, SPECIFIED at 2121 South Decatur Boulevard, Suite 2 (APN: a portion of 162-06-402-001), C-1 (Limited Commercial) Zone, Ward 1 (Moncrief). The Planning Commission (6-0 vote) and staff recommend APPROVAL

**PROTESTS RECEIVED BEFORE:**

**Planning Commission Mtg.**  
**City Council Meeting**

<b>1</b>
<b>0</b>

**APPROVALS RECEIVED BEFORE:**

**Planning Commission Mtg.**  
**City Council Meeting**

<b>0</b>
<b>0</b>

**RECOMMENDATION:**

The Planning Commission (6-0 vote) and staff recommend APPROVAL, subject to conditions.

**BACKUP DOCUMENTATION:**

1. Location Map
2. Conditions For This Application
3. Staff Report

**MOTION:**

**MONCRIEF – DENIED – UNANIMOUS with GOODMAN abstaining because his son represents a company involved in the same type of business and MACK abstaining because the SuperPawn owned by his brother, STEVEN MACK, with which he is affiliated has instituted a pay day loan service.**

NOTE: MAYOR GOODMAN disclosed that his son represents a company that is in the same type of business. DEPUTY CITY ATTORNEY BRYAN SCOTT advised him to abstain from voting on this item in an abundance of caution.

**MINUTES:**

MAYOR GOODMAN declared the Public Hearing open and disclosed his abstention.

HAROLD FOSTER, 3230 Polaris Avenue, appeared on behalf of the applicant with JONATHAN RICHARDSON, manager of several check cashing businesses in the Las Vegas

CITY COUNCIL MEETING OF OCTOBER 1, 2003  
Planning and Development Department  
Item 116 – SUP-2655

**MINUTES – Continued:**

area. MR. FOSTER indicated he had contacted the leasing agent for this particular commercial center and was told there was no other check cashing business in the center. Further, the Cashback Payday Loans is located a quarter mile away from the other two businesses of this type. He feels they meet all the requirements and the application should be approved.

MARGO WHEELER, Deputy Director, Planning and Development Department, explained that there are three existing like uses, two in the County on the southwest corner and one in the City within 750 feet of the subject location. She clarified that one of the businesses referred to by MR. FOSTER is not a financial institution.

TODD FARLOW, 240 North 19<sup>th</sup> Street, asked if the applicant provided information regarding interest rates and fees.

MR. FOSTER argued that the other businesses are 1,200 to 1,300 feet away from the subject business. MR. GENZER clarified that the 750 feet is measured from the boundary of the entire property not from the specific location of the use. He indicated that while staff recommendation on this particular item is for approval, under a proposed Ordinance introduced in the morning session, were this item to come under that particular bill, a requirement for the distance separation would need to be approved by the Council. However, that bill is not in effect at this time. MAYOR PRO TEM REESE verified with DEPUTY CITY ATTORNEY BRYAN SCOTT that the Council could not use that as a basis for denial.

COUNCILWOMAN MONCRIEF commented that she is aware of opposition from the retail shop owners within the Sahara Pavilion. In addition, there are three similar institutions within 1,000 feet causing over saturation that could be detrimental to this area.

MR. RICHARDSON asked if the 750 feet was from building to building or property line to property line. MAYOR PRO TEM replied that the Councilwoman was basing her denial on over saturation and that the new ordinance had not yet been adopted.

No one appeared in opposition.

There was no further discussion.

MAYOR PRO TEM REESE declared the Public Hearing closed.

(2:16 – 2:26)

**3-2751**

CITY COUNCIL MEETING OF OCTOBER 1, 2003  
Planning and Development Department  
Item 116 – SIP-2655

**CONDITIONS:**

Planning and Development

1. Conformance to all minimum requirements under Title 19.04.050 for a Financial Institution, Specified use.
2. Approval of and conformance to all applicable Conditions of Approval for Rezoning (Z-0057-87) and Plot Plan Review [Z-0057-87(1)].
3. This Special Use Permit shall expire one year from the date of final approval, unless it is exercised or an Extension of Time is granted by the City Council.
4. All City Code requirements and design standards of all City departments must be satisfied.

**AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT**

CITY COUNCIL MEETING OF: OCTOBER 1, 2003

**DEPARTMENT: PLANNING & DEVELOPMENT****DIRECTOR: ROBERT S. GENZER**☐**CONSENT**☒**DISCUSSION****SUBJECT:**

**ABEYANCE ITEM** - SPECIAL USE PERMIT - PUBLIC HEARING - SUP-2656 - **HECTOR DANIEL HIRALES ON BEHALF OF 1997 ANER IGLESIAS FAMILY TRUST, ET AL** - Request for a Special Use Permit FOR OPEN AIR VENDING on property located adjacent to the southeast corner of Washington Avenue and Decatur Boulevard (APN: a portion of 139-30-301-002), C-1 (Limited Commercial) Zone, Ward 5 (Weekly). The Planning Commission (5-0-1 vote) and staff recommend APPROVAL

**PROTESTS RECEIVED BEFORE:**

**Planning Commission Mtg.**  
**City Council Meeting**

<b>6</b>
<b>0</b>

**APPROVALS RECEIVED BEFORE:**

**Planning Commission Mtg.**  
**City Council Meeting**

<b>0</b>
<b>0</b>

**RECOMMENDATION:**

The Planning Commission (5-0-1 vote) and staff recommend APPROVAL, subject to conditions.

**BACKUP DOCUMENTATION:**

1. Location Map
2. Conditions For This Application
3. Staff Report

**MOTION:**

**WEEKLY – APPROVED** subject to conditions with the following added condition:

- *The Special Use Permit shall be reviewed in six-months* – UNANIMOUS

**MINUTES:**

MAYOR GOODMAN declared the Public Hearing open.

CARLOS HIRALES, 2421 North Rainbow, appeared on behalf of the applicant. He concurred with staff conditions and requested approval.

COUNCILMAN WEEKLY stated he had visited the Los Pinguinos establishment in east Las Vegas and was impressed. He noted that the applicant was waiting for space to become available. He supported the application with a six-month review. His only concern was that the property might become too cluttered. He commended the applicant for applying for a special use permit.

No one appeared in opposition.

CITY COUNCIL MEETING OF OCTOBER 1, 2003  
Planning and Development Department  
Item 117 – SUP-2656

**MINUTES – Continued:**

There was no further discussion.

MAYOR GOODMAN declared the Public Hearing closed.

(2:26 – 2:28)

**3-3273**

**CONDITIONS:**

1. This Special Use Permit shall expire two years from the date of final approval, unless it is exercised or an Extension of Time is granted by the City Council.
2. All City Code requirements and design standards of all City departments must be satisfied.
3. This business shall operate in conformance to Chapter 6.50 of the City of Las Vegas Municipal Code.

**AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT**  
**CITY COUNCIL MEETING OF: OCTOBER 1, 2003**

**DEPARTMENT: PLANNING & DEVELOPMENT**

**DIRECTOR: ROBERT S. GENZER**

☐

**CONSENT**

☒

**DISCUSSION**

**SUBJECT:**

**SPECIAL USE PERMIT - PUBLIC HEARING - SUP-2683 - RUBEN GONZALEZ ON BEHALF OF MIGUEL FAMILY TRUST 1993, ET AL** - Request for a Special Use Permit FOR A RESTAURANT SERVICE BAR TO BE LOCATED WITHIN AN EXISTING RESTAURANT (LA CHOZA DE DON CHECHE) at 1558 North Eastern Avenue (APN: 139-25-101-020), C-2 (General Commercial) Zone, Ward 5 (Weekly). **(NOTE: This item to be heard in conjunction with Morning Session Item #57).** The Planning Commission (6-0 vote) and staff recommend APPROVAL

**PROTESTS RECEIVED BEFORE:**

**Planning Commission Mtg.**  
**City Council Meeting**

<b>0</b>
<b>0</b>

**APPROVALS RECEIVED BEFORE:**

**Planning Commission Mtg.**  
**City Council Meeting**

<b>0</b>
<b>1</b>

**RECOMMENDATION:**

The Planning Commission (6-0 vote) and staff recommend APPROVAL, subject to conditions.

**BACKUP DOCUMENTATION:**

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Submitted after final agenda – Support letter from Laura K. Monteya

**MOTION:**

**WEEKLY – APPROVED subject to conditions – UNANIMOUS**

**MINUTES:**

MAYOR GOODMAN declared the Public Hearing open.

DAVE EDER, Nevada Gaming Application Consultants, 777 East Quartz Avenue, appeared on behalf of the applicant and concurred with staff recommendations.

No one appeared in opposition.

There was no further discussion.

MAYOR GOODMAN declared the Public Hearing closed.

CITY COUNCIL MEETING OF OCTOBER 1, 2003  
Planning and Development Department  
Item 118 – SIP-2683

**MINUTES – Continued:**

NOTE: All discussion relating to Item 57 and Item 118 [SUP-2683] was held under Item 118 [SUP-2683].

(2:28 – 2:30)

**3-3402**

**CONDITIONS:**

Planning and Development

1. If this Special Use Permit is not exercised within one year of this approval, it shall be void unless an Extension of Time is granted.
2. Conformance to all Minimum Requirements under Title 19.04.050 for a Restaurant Service Bar use.
3. Approval of this Special Use Permit does not constitute approval of a liquor license.
4. The business shall conform to the provisions of Chapter 6.50 of the City of Las Vegas Municipal Code.
5. The Restaurant Service Bar use shall conform to the definition as listed in Title 19.20.020.
6. All City Code requirements and design standards of all City departments must be satisfied.



**AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT**  
**CITY COUNCIL MEETING OF: OCTOBER 1, 2003**

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**DEPARTMENT: PLANNING & DEVELOPMENT****DIRECTOR: ROBERT S. GENZER**☐**CONSENT**☒**DISCUSSION****SUBJECT:**

SPECIAL USE PERMIT - PUBLIC HEARING - SUP-2733 - ARTISAN HOTEL & SPA, LIMITED LIABILITY COMPANY - Request for a Special Use Permit FOR A TAVERN AND A WAIVER OF THE MINIMUM DISTANCE SEPARATION REQUIREMENT BETWEEN TAVERNS at 1501 West Sahara Avenue (APN: 162-09-110-001, 002, and a portion of 162-09-110-003), M (Industrial) Zone, Ward 1 (Moncrief). The Planning Commission (5-0-1 vote) and staff recommend APPROVAL

**PROTESTS RECEIVED BEFORE:**

**Planning Commission Mtg.**  
**City Council Meeting**

<b>3</b>
<b>0</b>

**APPROVALS RECEIVED BEFORE:**

**Planning Commission Mtg.**  
**City Council Meeting**

<b>5</b>
<b>33</b>

**RECOMMENDATION:**

The Planning Commission (5-0-1 vote) and staff recommend APPROVAL, subject to conditions.

**BACKUP DOCUMENTATION:**

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Back up referenced from the 8/28/2003 Planning Commission meeting Item 40
5. Submitted after final agenda – Support petition with 18 signatures and 15 support letters

**MOTION:**

**MONCRIEF – APPROVED subject to conditions – UNANIMOUS with L.B.McDONALD abstaining because the request involves a privileged license for liquor located directly across the street from Palace Station**

NOTE: COUNCILMAN MACK disclosed that, although the parking lot for Treasures lies within the separation radius, the actual facility does not. Treasures has not contacted him through MK<sup>2</sup>, with which he is affiliated, and he does not believe it would impact his client's business. Therefore, he will be voting on this item.

**MINUTES:**

MAYOR GOODMAN declared the Public Hearing open.

NEIL BELLER, 7408 West Sahara Avenue, appeared on behalf of the applicant and concurred with staff recommendations.

CITY COUNCIL MEETING OF OCTOBER 1, 2003  
Planning and Development Department  
Item 119 – SUP-2733

**MINUTES – Continued:**

TODD FARLOW, 240 North 19<sup>th</sup> Street, stated that hotels invest in the community and should be granted a tavern license.

COUNCILWOMAN MONCRIEF indicated that the applicant has done wonderful things with the Artisan Hotel and Spa and supported the application.

No one appeared in opposition.

There was no further discussion.

MAYOR GOODMAN declared the Public Hearing closed.

(2:30 – 2:32)

**3-350**

**CONDITIONS:**

Planning and Development

1. This Special Use Permit shall expire one year from the date of final approval, unless it is exercised or an Extension of Time is granted by the City Council.
2. Conformance to all Minimum Requirements under Title 19.04.050 for a Liquor Establishment (Tavern) use.
3. The use shall conform to the provisions of LMVC Chapter 6.50.
4. The waiver is approved for the distance separation from another tavern (Crazy Horse Too).
5. Parking shall be maintained at a minimum of 65 parking spaces including three handicapped accessible spaces. If the current parking lot configuration is modified, the applicant must submit a site plan, for review and approval by the Planning and Development Department, depicting the final parking lot configuration that adheres with all of Title 19 parking lot design standards.
6. All City Code requirements and design standards of all City departments must be satisfied.

**AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT**  
**CITY COUNCIL MEETING OF: OCTOBER 1, 2003**

**DEPARTMENT: PLANNING & DEVELOPMENT**

**DIRECTOR: ROBERT S. GENZER**

☐

CONSENT

☒

DISCUSSION

**SUBJECT:**

**SPECIAL USE PERMIT - PUBLIC HEARING - SUP-2734 - LINDA J HANEY ON BEHALF OF GREAT AMERICAN PLAZA, LIMITED LIABILITY COMPANY -**  
 Request for a Special Use Permit FOR SECONDHAND SALES (Clothing) at 8320 West Sahara Avenue, Suite #160 (APN: 163-04-416-001), U (Undeveloped) Zone [SC (Service Commercial) General Plan Designation] under Resolution of Intent to C-1 (Limited Commercial), Ward 1 (Moncrief). **(NOTE: This item to be heard in conjunction with Morning Session Item #61).**  
 The Planning Commission (6-0 vote) and staff recommend APPROVAL

**PROTESTS RECEIVED BEFORE:**

**Planning Commission Mtg.**  
**City Council Meeting**

<b>3</b>
<b>0</b>

**APPROVALS RECEIVED BEFORE:**

**Planning Commission Mtg.**  
**City Council Meeting**

<b>0</b>
<b>0</b>

**RECOMMENDATION:**

The Planning Commission (6-0 vote) and staff recommend APPROVAL, subject to conditions.

**BACKUP DOCUMENTATION:**

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Back up referenced from the 8/28/2003 Planning Commission meeting Item 48

**MOTION:**

**MONCRIEF – APPROVED subject to conditions – UNANIMOUS**

**MINUTES:**

MAYOR GOODMAN declared the Public Hearing open.

LINDA HANEY, the applicant, 5991 West O'Bannon Drive, was present and concurred with all staff conditions.

No one appeared in opposition.

There was no further discussion.

MAYOR GOODMAN declared the Public Hearing closed.

(2:32 – 2:34)

**3-3642**

CITY COUNCIL MEETING OF OCTOBER 1, 2003  
Planning and Development Department  
Item 120 – SUP-2734

**CONDITIONS:**

Planning and Development

1. This Special Use Permit shall expire one year from the date of final approval, unless it is exercised or an Extension of Time is granted by the City Council.
2. No outdoor display, sales or storage of any merchandise is permitted.
3. The use shall comply with the applicable requirements of Title 6 (Business Taxes, Licenses and Regulations) of the Las Vegas Municipal Code.
4. All City Code requirements and design standards of all City departments must be satisfied.

**AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT**  
**CITY COUNCIL MEETING OF: OCTOBER 1, 2003**

**DEPARTMENT: PLANNING & DEVELOPMENT**

**DIRECTOR: ROBERT S. GENZER**

☐

**CONSENT**

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**DISCUSSION**

**SUBJECT:**

SPECIAL USE PERMIT - PUBLIC HEARING - SUP-2740 - PROSPER SAMUEL MINTZ - Request for a Special Use Permit FOR MOTORCYCLE/MOTOR SCOOTER SALES AND FOR A WAIVER TO THE MINIMUM 7,000 SQUARE FOOT BUILDING SIZE at 6040 West Sahara Avenue (APN: 163-01-401-009), C-1 (Limited Commercial) Zone, Ward 1 (Moncrief). The Planning Commission (6-0 vote) and staff recommend APPROVAL

**PROTESTS RECEIVED BEFORE:**

**Planning Commission Mtg.**  
**City Council Meeting**

<b>1</b>
<b>0</b>

**APPROVALS RECEIVED BEFORE:**

**Planning Commission Mtg.**  
**City Council Meeting**

<b>0</b>
<b>0</b>

**RECOMMENDATION:**

The Planning Commission (6-0 vote) and staff recommend APPROVAL, subject to conditions.

**BACKUP DOCUMENTATION:**

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Back up referenced from the 8/28/2003 Planning Commission meeting Item 49

**MOTION:**

**MONCRIEF – APPROVED subject to conditions – UNANIMOUS**

**MINUTES:**

MAYOR GOODMAN declared the Public Hearing open.

PROSPER MINTZ appeared on behalf of Mad Man Army Surplus. He concurred with staff recommendations and asked for approval.

AL GALLEG0, citizen of Las Vegas, expressed concern regarding the scooters being driven by kids and hoped that the applicant would post notices stating that children under a certain age should not drive these scooters. He felt a City ordinance should be introduced prohibiting underage children from driving the scooters on City streets for safety purposes. COUNCILMAN MACK responded that the Council Office is working with Metro to address concerns and enforcement issues relating to scooters and mopeds as they are not legal on streets or sidewalks.

JOE MAVIGLIA, 1695 Fairhaven Street, stated that young children who drive these scooters are risking their lives. It would behoove COUNCILMAN MACK to discuss with Metro the possibility of educating these young people on how to safely operate a motorized vehicle.

CITY COUNCIL MEETING OF OCTOBER 1, 2003  
Planning and Development Department  
Item 121 – SUP-2740

**MINUTES – Continued:**

STEVEN CAPTAIN “TRUTH” DEMPSEY felt that someone in the legal staff should investigate to see if there is a constitutional basis before laws are passed. No crime has been committed unless someone is injured or harmed in some way.

There was no further discussion.

MAYOR GOODMAN declared the Public Hearing closed.

(2:34 – 2:40)

**4-47**

**CONDITIONS:**

Planning and Development

1. Conformance to all Minimum Requirements under Title 19.04.050 for Motorcycle/Motor Scooter Sales use.
2. This Special Use Permit shall expire one year from the date of final approval, unless it is exercised or an Extension of Time is granted by the City Council.
3. All display and sales shall take place in an enclosed building
4. Approval of this Special Use Permit constitutes approval of the waiver to the base condition requiring a minimum building gross floor area of 7,000 square feet
5. All City Code requirements and design standards of all City departments must be satisfied.

**AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT**  
**CITY COUNCIL MEETING OF: OCTOBER 1, 2003**

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**DEPARTMENT: PLANNING & DEVELOPMENT**

**DIRECTOR: ROBERT S. GENZER**

☐

CONSENT

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DISCUSSION

**SUBJECT:**

SPECIAL USE PERMIT - PUBLIC HEARING - SUP-2745 - RAUL ARTEAGA, D.V.M., LIMITED - Request for a Special Use Permit FOR AN ANIMAL HOSPITAL, CLINIC, OR SHELTER WITHOUT OUTSIDE PENS at 4301 West Sahara Avenue (APN: 162-07-501-002), C-1 (Limited Commercial) Zone, Ward 1 (Moncrief). The Planning Commission (6-0 vote) and staff recommend APPROVAL

**PROTESTS RECEIVED BEFORE:**

Planning Commission Mtg.  
City Council Meeting

1
0

**APPROVALS RECEIVED BEFORE:**

Planning Commission Mtg.  
City Council Meeting

0
0

**RECOMMENDATION:**

The Planning Commission (6-0 vote) and staff recommend APPROVAL, subject to conditions.

**BACKUP DOCUMENTATION:**

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Back up referenced from the 8/28/2003 Planning Commission meeting Item 41

**MOTION:**

**MONCRIEF – APPROVED subject to conditions – UNANIMOUS**

**MINUTES:**

MAYOR GOODMAN declared the Public Hearing open.

BLAKE BURR, Copper Creek Construction, 6440 Schirlls Street, appeared on behalf of the applicant and concurred with staff recommendations.

COUNCILWOMAN MONCRIEF indicated she had viewed this site and it conforms to the surrounding area. She verified with MR. BURR that the expansion would be to the back of the building with outdoors pens.

No one appeared in opposition.

There was no further discussion.

CITY COUNCIL MEETING OF OCTOBER 1, 2003  
Planning and Development Department  
Item 122 – SUP-2745

**MINUTES – Continued:**

MAYOR GOODMAN declared the Public Hearing closed.

NOTE: All discussion relating to Item 122 [SUP-2745] and Item 123 [SDR-2744] was held under Item 122 [SUP-2745].

(2:40 – 2:42)

**4-227**

**CONDITIONS:**

Planning and Development

1. This Special Use Permit shall expire one year from the date of final approval, unless it is exercised or an Extension of Time is granted by the City Council.
2. The building shall be designed to provide complete sound barriers and odor protection for adjacent properties.
3. Rooms containing cages or pens are not permitted to have windows, doors or other penetrations on exterior walls adjacent to residences.
4. Noise levels must comply with the applicable provisions of LVMC Title 7.
5. No more than 25% of the floor area may be used for the boarding of animals.
6. Animals shall be confined within an enclosed building at all times.
7. All City Code requirements and design standards of all City departments must be satisfied.



**AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT**  
**CITY COUNCIL MEETING OF: OCTOBER 1, 2003**

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**DEPARTMENT: PLANNING & DEVELOPMENT****DIRECTOR: ROBERT S. GENZER**☐**CONSENT**☒**DISCUSSION****SUBJECT:**

SITE DEVELOPMENT PLAN REVIEW RELATED TO SUP-2745 - PUBLIC HEARING - **SDR-2744 - RAUL ARTEAGA, D.V.M., LIMITED** - Request for a Site Development Plan Review FOR A 900 SQUARE FOOT ADDITION TO AN EXISTING BUILDING (SAHARA ANIMAL HOSPITAL) AND A WAIVER TO THE PERIMETER LANDSCAPING STANDARDS at 4301 West Sahara Avenue (APN: 162-07-501-002), C-1 (Limited Commercial) Zone, Ward 1 (Moncrief). The Planning Commission (6-0 vote) and staff recommend APPROVAL

**PROTESTS RECEIVED BEFORE:**

**Planning Commission Mtg.**  
**City Council Meeting**

<b>2</b>
<b>0</b>

**APPROVALS RECEIVED BEFORE:**

**Planning Commission Mtg.**  
**City Council Meeting**

<b>0</b>
<b>0</b>

**RECOMMENDATION:**

The Planning Commission (6-0 vote) and staff recommend APPROVAL, subject to conditions.

**BACKUP DOCUMENTATION:**

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Back up referenced from the 8/28/2003 Planning Commission meeting Item 42

**MOTION:**

**MONCRIEF – APPROVED subject to conditions – UNANIMOUS**

**MINUTES:**

MAYOR GOODMAN declared the Public Hearing open.

BLAKE BURR, Copper Creek Construction, 6440 Schirlls Street, appeared on behalf of the applicant.

No one appeared in opposition.

There was no discussion.

MAYOR GOODMAN declared the Public Hearing closed.

CITY COUNCIL MEETING OF OCTOBER 1, 2003  
Planning and Development Department  
Item 123 – SDR-2744

**MINUTES – Continued:**

NOTE: All discussion relating to Item 122 [SUP-2745] and Item 123 [SDR-2744] was held under Item 122 [SUP-2745].

(2:40 – 2:42)

4-227

**CONDITIONS:**

Planning and Development

1. This Site Development Plan Review shall expire two years from date of final approval unless it is exercised or an Extension of Time is granted by the City Council.
2. A Special Use Permit (SUP-2745) to allow an animal hospital without outside pens shall be approved by the City Council.
3. All development shall be in conformance with the site plan and building elevations, except as amended by conditions herein.
4. The landscape plan shall be revised and approved by Planning and Development Department staff, prior to the time application is made for a building permit, to reflect minimum of two, 24-inch box trees planted a maximum of 20 feet on-center and a minimum of four five-gallon shrubs for each tree within the planter adjacent to Sahara Avenue and to depict a 24-inch box tree with a minimum of four five-gallon shrubs within the landscape planter depicted towards the rear property line.
5. Landscaping and a permanent underground sprinkler system shall be installed as required by the Planning Commission or City Council and shall be permanently maintained in a satisfactory manner. [Failure to properly maintain required landscaping and underground sprinkler systems shall be cause for revocation of a business license.]
6. All mechanical equipment, air conditioners and trash areas shall be fully screened in views from the abutting streets.
7. All utility boxes exceeding 27 cubic feet in size shall meet the standards of Title 19.12.050.
8. Any property line wall shall be a decorative block wall, with at least 20 percent contrasting materials. Wall heights shall be measured from the side of the fence with the least vertical exposure above the finished grade, unless otherwise stipulated.

CITY COUNCIL MEETING OF OCTOBER 1, 2003  
Planning and Development Department  
Item 123 – SDR-2744

**CONDITIONS – Continued:**

9. A fully operational fire protection system, including fire apparatus roads, fire hydrants and water supply, shall be installed and shall be functioning prior to construction of any combustible structures.
10. All City Code requirements and design standards of all City departments must be satisfied.

Public Works

11. Remove all substandard public street improvements, if any, adjacent to this site and replace with new improvements meeting current City Standards concurrent with development of this site.
12. Meet with the Traffic Engineering Representative in Land Development for assistance in the possible redesign of the proposed driveway access, on site circulation and parking lot layout prior to the submittal of any construction plans or the issuance of any permits, whichever may occur first. Any new driveways or modifications to existing driveways shall be designed, located and constructed in accordance with Standard Drawing #222A and shall also receive approval from the Nevada Department of Transportation.
13. A Traffic Impact Analysis must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits or submittal of any construction drawings. Comply with the recommendations of the approved Traffic Impact Analysis prior to occupancy of the site. The City shall determine area traffic mitigation contribution requirements based upon information provided in the approved Traffic Impact Analysis; such monies shall be contributed prior to the issuance of any permits for this site. The Traffic Impact Analysis shall also include a section addressing Standard Drawings #234.1 #234.2 and #234.3 to determine additional right-of-way requirements for bus turnouts adjacent to this site, if any; dedicate all areas recommended by the approved Traffic Impact Analysis. All additional rights-of-way required by Standard Drawing #201.1 for exclusive right turn lanes and dual left turn lanes shall be dedicated prior to or concurrent with the commencement of on-site development activities unless specifically noted as not required in the approved Traffic Impact Analysis. If additional rights-of-way are not required and Traffic Control devices are or may be proposed at this site outside of the public right-of-way, all necessary easements for the location and/or access of such devices shall be granted prior to the issuance of permits for this site. Phased compliance will be allowed if recommended by the approved Traffic Impact Analysis. No recommendation of the approved Traffic Impact Analysis, nor compliance therewith, shall be deemed to modify or eliminate any condition of approval imposed by the Planning Commission or the City Council on the development of this site.

CITY COUNCIL MEETING OF OCTOBER 1, 2003  
Planning and Development Department  
Item 123 – SDR-2744

**CONDITIONS – Continued:**

Alternatively, in lieu of a Traffic Impact Analysis, the applicant may participate in a reasonable alternative mutually acceptable to the applicant and the Department of Public Works.

14. Meet with the Flood Control Section of the Department of Public Works for assistance in determining appropriate finished floor elevations and drainage pathways required for this site prior to the issuance of any permits for this site.
15. Landscape and maintain all unimproved right(s)-of-way on Sahara Avenue adjacent to this site.
16. Submit an application for an Occupancy Permit for all landscaping and private improvements in the Sahara Avenue public right-of-way adjacent to this site prior to the issuance of any permits.

**AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT**

**CITY COUNCIL MEETING OF: OCTOBER 1, 2003**

**DEPARTMENT: PLANNING & DEVELOPMENT**

**DIRECTOR: ROBERT S. GENZER**

☐

**CONSENT**

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**DISCUSSION**

**SUBJECT:**

**SPECIAL USE PERMIT - PUBLIC HEARING - SUP-2758 - REAGAN NATIONAL ADVERTISING ON BEHALF OF COG III, LIMITED** - Appeal filed by Singer & Brown from the Denial by the Planning Commission of a request for a Special Use Permit FOR A PROPOSED 40-FOOT TALL, 14-FOOT BY 48-FOOT OFF-PREMISE ADVERTISING (BILLBOARD) SIGN at 1110 South Rainbow Boulevard (APN: 163-02-101-002), C-1 (Limited Commercial) Zone, Ward 1 (Moncrief). The Planning Commission (6-0 vote) recommends DENIAL. Staff recommends APPROVAL

**PROTESTS RECEIVED BEFORE:**

**Planning Commission Mtg.**

**2**

**City Council Meeting**

**1**

**APPROVALS RECEIVED BEFORE:**

**Planning Commission Mtg.**

**0**

**City Council Meeting**

**0**

**RECOMMENDATION:**

The Planning Commission (6-0 vote) recommends DENIAL. Staff recommends APPROVAL, subject to conditions.

**BACKUP DOCUMENTATION:**

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Appeal letter filed by Singer & Brown
5. Back up referenced from the 8/28/2003 Planning Commission meeting Item 50
6. Submitted after final agenda – Protest letter from Mr. & Mrs. Lloyd S. Henry

**MOTION:**

**MONCRIEF – GRANTED the Appeal; thereby APPROVING the Special Use Permit subject to conditions – UNANIMOUS with GOODMAN abstaining due to a business interest with JAY BROWN in an outpatient facility on West Charleston and MACK abstaining because this parcel contains a SuperPawn owned by his brother, STEVEN MACK, with which he is affiliated on another application for a Special Use Permit to allow a billboard on the same parcel. The Reagan National Advertising representative stated that they have spoken to SuperPawn about renting one of the signs.**

**MINUTES:**

MAYOR GOODMAN declared the Public Hearing open and declared his abstention.

CITY COUNCIL MEETING OF OCTOBER 1, 2003  
Planning and Development Department  
Item 124 – SUP-2758

**MINUTES – Continued:**

ATTORNEY JAY BROWN, 520 South Fourth Street, appeared on behalf of the applicant with ANDY BILANZICH, Real Estate Manager for the applicant. ATTORNEY BROWN indicated the application meets all the requirements of the billboard ordinance.

TODD FARLOW, 240 North 19<sup>th</sup> Street, stated that this area is too cluttered with billboards, and the application should be denied.

CHUCK GRIGSBY, 2287 Green Mountain Court, pointed out that this particular property had been the subject of arson in May 2002 and that the ATF was still investigating. Presently, within the center known as Mercado del Sol, there are 10,340 square feet of vacant space resulting in severe economic hardship. Since change of ownership in 1999, much has been done to improve the property as well as the neighborhood. Security has been added to maintain the integrity of the neighborhood and to ensure that no arson reoccurs on the property.

In response to MR. FARLOW'S comment, ATTORNEY BROWN pointed out that the sign meets the requirements of the ordinance, which protects against clutter.

COUNCILWOMAN MONCRIEF noted that she visited the site and there is a 40-foot billboard on the northeast corner. She understands Planning staff's denial was based on congestion; however, she did not see that.

There was no further discussion.

MAYOR PRO TEM REESE declared the Public Hearing closed.

(2:42 – 2:46)

**4-285**

**CONDITIONS:**

Planning and Development

1. The Special Use Permit shall be reviewed in two (2) years at which time the City Council may require the off-premise sign to be removed. The applicant shall be responsible for notification costs of the review. Failure to pay the City for these costs may result in a requirement that the off-premise advertising (billboard) sign be removed.
2. Conformance to all Minimum Requirements under Title 19.14 for an Off-Premise Sign use and other applicable sign requirements.

CITY COUNCIL MEETING OF OCTOBER 1, 2003  
Planning and Development Department  
Item 124 – SUP-2758

**CONDITIONS – Continued:**

3. The off-premise advertising (billboard) sign and its supporting structure shall be properly maintained and kept free of graffiti at all times. In addition, the property owner shall keep the property properly maintained at all times. Failure to perform the required maintenance may result in fines and/or removal of the off-premise advertising (billboard) sign.
4. The off-premise advertising (billboard) sign support pole shall be redesigned to include finish materials to complement the existing on-site building.
5. Only one advertising sign is permitted per sign face.
6. The entire face-area of both sides of the off-premise advertising (billboard) sign shall be signage area or its border framework; none of the supporting structure shall be visible aside from the support pole.
7. If the off-premise advertising sign structure is removed, this Special Use Permit shall be expunged and a new off-premise advertising sign structure shall not be erected in the same location unless: (1) a new Special Use Permit is approved for the new structure by the City Council, or (2) the location is in compliance with all applicable standards of Title 19 of the Las Vegas Municipal Code including, but not limited to, distance separation requirements, or (3) a Variance to the applicable standards of Title 19 has been approved for the new structure by the City Council.
8. All City Code requirements and design standards of all City Departments shall be satisfied.

Public Works

9. Signs shall not be located within public right-of-way, existing or proposed public sewer or drainage easements, or interfere with Site Visibility Restriction Zones.

**AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT**  
**CITY COUNCIL MEETING OF: OCTOBER 1, 2003****DEPARTMENT: PLANNING & DEVELOPMENT****DIRECTOR: ROBERT S. GENZER**☐**CONSENT**☒**DISCUSSION****SUBJECT:**

**SPECIAL USE PERMIT - PUBLIC HEARING - SUP-2768 - HEE SEUNG JUNG ON BEHALF OF VILLAGE SQUARE LIMITED LIABILITY COMPANY** - Request for a Special Use Permit FOR A RESTAURANT SERVICE BAR at 9410 West Sahara Avenue, Suite #150 (APN: 163-06-816-035), C-1 (Limited Commercial) Zone, Ward 2 (L.B. McDonald). **(NOTE: This item to be heard in conjunction with Morning Session Item #58).** The Planning Commission (4-1-1 vote) and staff recommend APPROVAL

**PROTESTS RECEIVED BEFORE:**

**Planning Commission Mtg.**  
**City Council Meeting**

<b>0</b>
<b>0</b>

**APPROVALS RECEIVED BEFORE:**

**Planning Commission Mtg.**  
**City Council Meeting**

<b>1</b>
<b>0</b>

**RECOMMENDATION:**

The Planning Commission (4-1-1 vote) and staff recommend APPROVAL, subject to conditions.

**BACKUP DOCUMENTATION:**

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Support letter from Bricken Brown-Ainge
5. Back up referenced from the 8/28/2003 Planning Commission meeting Item 53

**MOTION:**

**L.B. McDONALD – APPROVED subject to conditions – UNANIMOUS with MONCRIEF not voting**

NOTE: COUNCILMAN MACK disclosed that Triple Five, a client of MK<sup>2</sup>, with which he is affiliated, is located in proximity to the applications pertaining to Items 125 and 58. However, he has not discussed these applications with his client and would vote on both items.

**MINUTES:**

MAYOR GOODMAN declared the Public Hearing open.

HEE SEUNG JUNG ON, the applicant, 9410 West Sahara Avenue, Suite #150, was present and requested approval.

TODD FARLOW, 240 North 19<sup>th</sup> Street, asked that a one-year review be imposed on this application.



CITY COUNCIL MEETING OF OCTOBER 1, 2003  
Planning and Development Department  
Item 125 – SUP-2768

**MINUTES – Continued:**

No one appeared in opposition.

There was no further discussion.

MAYOR GOODMAN declared the Public Hearing closed.

NOTE: All discussion relating to Item 58 and Item 125 [SUP-2768] was held under Item 125 [SUP-2768].

(2:46 – 2:47)

**4-411**

**CONDITIONS:**

Planning and Development

1. If this Special Use Permit is not exercised within one year of this approval, this Special Use Permit shall be void unless an Extension of Time is granted.
2. Conformance to all Minimum Requirements under Title 19.04.050 for a Restaurant Service Bar use.
3. Approval of this Special Use Permit does not constitute approval of a liquor license.
4. The business shall conform to the provisions of Chapter 6.50 of the City of Las Vegas Municipal Code.
5. The Restaurant Service Bar use shall conform to the definition as listed in Title 19.20.020.
6. All City Code requirements and design standards of all City departments must be satisfied.
7. The area depicted, as “sushi bar” on the submitted floor plan shall only be used for the purpose of serving food and/or alcoholic beverages served in conjunction with a meal.

**AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT**

CITY COUNCIL MEETING OF: OCTOBER 1, 2003

**DEPARTMENT: PLANNING & DEVELOPMENT****DIRECTOR: ROBERT S. GENZER**☐**CONSENT**☒**DISCUSSION****SUBJECT:**

SPECIAL USE PERMIT - PUBLIC HEARING - SUP-2769 - DOME, LIMITED LIABILITY COMPANY - Request for a Special Use Permit FOR A MINOR AUTOMOTIVE REPAIR GARAGE at 5230 West Charleston Boulevard (APN: 138-36-803-013), C-1 (Limited Commercial) Zone, Ward 1 (Moncrief). The Planning Commission (6-0 vote) and staff recommend APPROVAL

**PROTESTS RECEIVED BEFORE:**

Planning Commission Mtg.  
City Council Meeting

<b>2</b>
<b>0</b>

**APPROVALS RECEIVED BEFORE:**

Planning Commission Mtg.  
City Council Meeting

<b>1</b>
<b>0</b>

**RECOMMENDATION:**

The Planning Commission (6-0 vote) and staff recommend APPROVAL, subject to conditions.

**BACKUP DOCUMENTATION:**

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Back up referenced from the 8/28/2003 Planning Commission meeting Item 33

**MOTION:**

**MONCRIEF – APPROVED subject to conditions – UNANIMOUS with WEEKLY not voting**

**MINUTES:**

MAYOR GOODMAN declared the Public Hearing open.

HAROLD FOSTER, 3032 Polaris Avenue, appeared on behalf of applicant with KERRY O'BANNON. MR. FOSTER explained that the application is for a small service garage at the rear of a large motorcycle parts facility on West Charleston. He concurred with all conditions.

TODD FARLOW, 240 North 19<sup>th</sup> Street, stated that Big Al kept the place clean and was an asset to the neighborhood. He is missed.

No one appeared in opposition.

CITY COUNCIL MEETING OF OCTOBER 1, 2003  
Planning and Development Department  
Item 126 – SUP-2769

**MINUTES – Continued:**

There was no further discussion.

MAYOR GOODMAN declared the Public Hearing closed.

(2:47 – 2:49)

**4-467**

**CONDITIONS:**

Planning and Development

1. This Special Use Permit shall expire one year from the date of final approval, unless it is exercised or an Extension of Time is granted by the City Council.
2. All repair and service work shall be performed within a completely enclosed building.
3. Openings to the service bays shall not face public rights-of-way and shall be designed to minimize the visual intrusion into adjoining properties.
4. No used or discarded automotive parts or equipment shall be located in any open area outside of an enclosed building.
5. No outside storage of stock, equipment or residual used equipment shall be located in any open area outside of an enclosed building.
6. All disabled vehicles shall be stored in an area, which is screened from view from the surrounding properties and adjoining streets. Vehicles shall not be stored on the property longer than 45 days.
7. Conformance to the applicable Conditions of Approval for Site Development Plan Review [Z-0006-66(37)].
8. All City Code requirements and design standards of all City departments must be satisfied.

**AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT**  
**CITY COUNCIL MEETING OF: OCTOBER 1, 2003**

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**DEPARTMENT: PLANNING & DEVELOPMENT****DIRECTOR: ROBERT S. GENZER**☐**CONSENT**☒**DISCUSSION****SUBJECT:**

**SPECIAL USE PERMIT - PUBLIC HEARING - SUP-2777 - 36 ACRE, LIMITED LIABILITY COMPANY ON BEHALF OF DURANGO 215, LIMITED LIABILITY COMPANY** - Request for a Special Use Permit FOR A TAVERN adjacent to the south side of Deer Springs Way, approximately 200 feet east of El Capitan Way (a portion of APN: 125-20-710-002), T-C (Town Center) Zone [UC-TC (Urban Core - Town Center) Land Use Designation], Ward 6 (Mack). The Planning Commission (5-0-1 vote) and staff recommend APPROVAL

**PROTESTS RECEIVED BEFORE:**

**Planning Commission Mtg.**  
**City Council Meeting**

<b>0</b>
<b>0</b>

**APPROVALS RECEIVED BEFORE:**

**Planning Commission Mtg.**  
**City Council Meeting**

<b>0</b>
<b>0</b>

**RECOMMENDATION:**

The Planning Commission (5-0-1 vote) and staff recommend APPROVAL, subject to conditions.

**BACKUP DOCUMENTATION:**

1. Location Map
2. Conditions For This Application
3. Staff Report

**MOTION:**

**MACK – ABEYANCE to 11/05/2003 – UNANIMOUS with WEELY not voting**

NOTE: COUNCILWOMAN L.B. McDONALD disclosed that Items 127 and 128 involve a privileged license for alcohol, which is a similar license to that of Station Casinos. She has not discussed this issue with anyone nor will these items have any material impact on the business.

NOTE: COUNCILMAN MACK disclosed that Triple Five is a client of MK<sup>2</sup> and is located near the business in Items 125 and 58. However, there has been no discussion and there will be no impact on the business. Therefore, he voted on those two items.

**MINUTES:**

MAYOR GOODMAN declared the Public Hearing open.

TODD HOLZER, 17015 Scottsdale Road, Suite #115, appeared on behalf of the applicant and concurred with staff recommendations.

CITY COUNCIL MEETING OF OCTOBER 1, 2003  
Planning and Development Department  
Item 127 – SUP-2777

**MINUTES – Continued:**

COUNCILMAN MACK indicated that he has not had an opportunity to meet with the applicant and requested that Items 127 and Item 128 be held in abeyance. He is concerned with the over saturation of taverns in this particular area and would like to discuss his concerns with the applicant. MR. HOLZER agreed to the abeyance.

No one appeared in opposition.

There was no further discussion.

MAYOR GOODMAN declared the Public Hearing closed.

NOTE: All discussion relating to Item 127 [SUP-2777] and Item 128 [SDR-2776] was held under Item 127 [SUP-2777].

(2:49 – 2:52)

**4-514**

**CONDITIONS:**

Planning and Development

1. Approval of and conformance to the Conditions of Approval for Site Development Plan Review (SDR-2482).
2. This Special Use Permit shall expire two years from the date of final approval, unless it is exercised or an Extension of Time is granted by the City Council.
3. Approval of this Special Use Permit does not constitute approval of a liquor license.
4. This business shall operate in conformance to Chapter 6.50 of the City of Las Vegas Municipal Code.
5. Conformance to all relevant Minimum Requirements under the Montecito Town Center Development Agreement for a “Liquor Establishment (Tavern)” use.
6. All development shall conform to the Conditions of Approval for the Tentative Map and all other subsequent site related actions.
7. All City Code requirements and design standards of all City departments must be satisfied.

**AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT**

CITY COUNCIL MEETING OF: OCTOBER 1, 2003

**DEPARTMENT: PLANNING & DEVELOPMENT****DIRECTOR: ROBERT S. GENZER**☐**CONSENT**☒**DISCUSSION****SUBJECT:**

SITE DEVELOPMENT PLAN REVIEW RELATED TO SUP-2777 - PUBLIC HEARING - **SDR-2776 - 36 ACRE, LIMITED LIABILITY COMPANY ON BEHALF OF DURANGO 215, LIMITED LIABILITY COMPANY** - Request for a Site Development Plan Review and a Waiver of the Town Center Build-To-Line Development Standard FOR A PROPOSED 5,000 SQUARE FOOT RESTAURANT/TAVERN on 0.77 acres adjacent to the south side of Deer Springs Way, approximately 200 feet east of Durango Drive (a portion of APN: 125-20-710-002), T-C (Town Center) Zone [UC-TC (Urban Core - Town Center) Land Use Designation], Ward 6 (Mack). The Planning Commission (5-0-1 vote) and staff recommend APPROVAL

**PROTESTS RECEIVED BEFORE:****Planning Commission Mtg.****0****City Council Meeting****APPROVALS RECEIVED BEFORE:****Planning Commission Mtg.****0****City Council Meeting****RECOMMENDATION:**

The Planning Commission (5-0-1 vote) and staff recommend APPROVAL, subject to conditions.

**BACKUP DOCUMENTATION:**

1. Location Map
2. Conditions For This Application
3. Staff Report

**MOTION:**

**MACK – ABEYANCE to 11/05/2003 – UNANIMOUS with WEELY not voting**

NOTE: COUNCILWOMAN L.B. McDONALD disclosed that Items 127 and 128 involve a privileged license for alcohol, which is a similar license to that of Station Casinos. She has not discussed this issue with anyone nor will these items have any material impact on the business.

NOTE: COUNCILMAN MACK disclosed that Triple Five is a client of MK<sup>2</sup> and is located near the business in Items 125 and 58. However, there has been no discussion and there will be no impact on the business. Therefore, he voted on those two items.

**MINUTES:**

MAYOR GOODMAN declared the Public Hearing open.

TODD HOLZER, 17015 Scottsdale Road, Suite #115, appeared on behalf of the applicant.

No one appeared in opposition.

CITY COUNCIL MEETING OF OCTOBER 1, 2003  
Planning and Development Department  
Item 128 – SDR-2776

**MINUTES – Continued:**

There was no discussion.

MAYOR GOODMAN declared the Public Hearing closed.

NOTE: All discussion relating to Item 127 [SUP-2777] and Item 128 [SDR-2776] was held under Item 127 [SUP-2777].

(2:49 – 2:52)

4-514

**CONDITIONS:**

Planning and Development

1. A Special Use Permit (SUP-2777) for a Tavern approved by the City Council.
2. This Site Development Plan Review shall expire two years from date of final approval unless it is exercised or an Extension of Time is granted by the City Council.
3. Construct a Town Center Arterial Trail along Deer Springs Way as required by the Montecito Development Standards.
4. The building elevations shall meet Montecito Town Center Development Agreement Standards, particularly along the Deer Springs Way frontage. The tile and stone veneer shall cover a minimum of ten percent of the building elevation as required by the Montecito Development Agreement. The north elevation of the building shall be designed to have the appearance of windows/ doors as shown on the other three elevations. The revised elevations shall be approved by the Planning and Development Department prior to the submittal of building permits for this development.
5. The site plan shall be amended to demonstrate conformance to the parking standards. The Trash Enclosure shall be located at the southwest corner of the parcel to facilitate access and compliance with the Montecito Development Agreement. Pedestrian access ways shall be shown from the southern boundary of the parcel to the street and use. Provide building access from the street.
6. All other development shall be in conformance with the site plan and building elevations, except as amended by conditions herein.
7. Pursuant to the Montecito Town Center Development Agreement, compliance with approved Master Sign Plan MSP-0013-01 is required for on-premise signs in the Development Agreement area, and the Centennial Hills Town Center Architectural Review Committee (CHARC) must approve such signs.

CITY COUNCIL MEETING OF OCTOBER 1, 2003  
Planning and Development Department  
Item 128 – SDR-2776

**CONDITIONS – Continued:**

8. Landscaping and a permanent underground sprinkler system shall be installed as required by the Planning Commission or City Council and shall be permanently maintained in a satisfactory manner. [Failure to properly maintain required landscaping and underground sprinkler systems should be cause for revocation of a business license.] The number and types of trees along Deer Springs shall conform to the Town Center Arterial Street landscape standards.
9. All mechanical / electrical equipment, air conditioners and trash areas shall be fully screened in views from the abutting streets.
10. Parking lot lighting standards shall be no more than 20 feet in height and shall utilize 'shoe-box' fixtures and downward-directed lights. Wallpack lighting shall utilize 'shoe-box' fixtures and downward-directed lights on the proposed building. Non-residential property lighting shall be directed away from residential property or screened, and shall not create fugitive lighting on adjacent properties.
11. All utility boxes exceeding 27 cubic feet in size shall meet the standards of Title 19.12.050.
12. Any property line wall shall be a decorative block wall, with at least 20 percent contrasting materials. Wall heights shall be measured from the side of the fence with the least vertical exposure above the finished grade, unless otherwise stipulated.
13. A fully operational fire protection system, including fire apparatus roads, fire hydrants and water supply, shall be installed and shall be functioning prior to construction of any combustible structures.
14. All City Code requirements and design standards of all City departments must be satisfied.

Public Works

15. Remove all substandard public street improvements and unused driveway cuts adjacent to this site, if any, and replace with new improvements meeting current City Standards concurrent with development of this site.
16. Meet with the Traffic Engineering Representative in Land Development for assistance in the possible redesign of the proposed driveway access, on site circulation and parking lot layout prior to the submittal of any construction plans or the issuance of any permits, whichever may occur first. Driveways shall be designed, located and constructed in accordance with Standard Drawing #222A.



CITY COUNCIL MEETING OF OCTOBER 1, 2003  
Planning and Development Department  
Item 128 – SDR-2776

**CONDITIONS – Continued:**

17. If not already constructed by the Master Developer, construct the full width of the proposed driveways accessing this site and construct appropriate on-site paving to allow for two-way vehicular traffic concurrent with development of this site.
18. An update to the previously approved Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department of Public Works prior to the issuance of any grading or building permits, submittal of any construction drawings, whichever may occur first. Provide and improve all drainage ways as recommended in the approved drainage plan/study.
19. Site development to comply with all applicable conditions of approval for Z-0076-98, the Montecito Lifestyle Center (Commercial Subdivision) and all other subsequent site-related actions.

**AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT**

**CITY COUNCIL MEETING OF: OCTOBER 1, 2003**

**DEPARTMENT: PLANNING & DEVELOPMENT**

**DIRECTOR: ROBERT S. GENZER**

☐

CONSENT

☒

DISCUSSION

**SUBJECT:**

SPECIAL USE PERMIT - PUBLIC HEARING - SUP-2787 - WEST COAST FINANCIAL GROUP, LIMITED LIABILITY COMPANY ON BEHALF OF PINE DEVELOPMENT, INC. - Request for a Special Use Permit FOR A FINANCIAL INSTITUTION, SPECIFIED (PAY DAY LOAN SERVICE) at 604 North Rainbow Boulevard (APN: 138-26-301-004), C-1 (Limited Commercial) Zone, Ward 2 (L.B. McDonald). The Planning Commission (5-0 vote) and staff recommend APPROVAL

**PROTESTS RECEIVED BEFORE:**

Planning Commission Mtg.  
City Council Meeting

3

**APPROVALS RECEIVED BEFORE:**

Planning Commission Mtg.  
City Council Meeting

0

**RECOMMENDATION:**

The Planning Commission (5-0 vote) and staff recommend APPROVAL, subject to conditions.

**BACKUP DOCUMENTATION:**

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Back up referenced from the 8/28/2003 Planning Commission meeting Item 54

**MOTION:**

**L.B. McDONALD – APPROVED** subject to conditions and amending Condition 6 as follows:

6. The hours of operation shall not extend beyond the hours of *10:00 a.m. to 6:00 p.m.*  
– UNANIMOUS with GOODMAN abstaining because his son represents a company that engages in the same type of business, MACK abstaining because SuperPawn owned by his brother, STEVEN MACK, offers the same services and WEEKLY not voting

NOTE: MAYOR GOODMAN disclosed that his son represents a company that engages in this type of business, but felt he should not have to abstain. DEPUTY CITY ATTORNEY BRYAN SCOTT advised MAYOR GOODMAN that until an opinion is rendered from the City Attorney's Office, he should abstain in an abundance of caution.

**MINUTES:**

MAYOR GOODMAN declared the Public Hearing open and disclosed his abstention.

CITY COUNCIL MEETING OF OCTOBER 1, 2003  
Planning and Development Department  
Item 129 – SUP-2787

**MINUTES – Continued:**

ATTORNEY PAUL LARSEN, 300 South 4<sup>th</sup> Street, appeared on behalf of the applicant. He explained that the existing shopping center is located north of the intersection of US 95 at the Rainbow Curve; the location is a former TCBY Yogurt shop. He concurred with the conditions requiring the signage not to be larger than the existing signage on the building, that the colors and exterior treatments shall remain the same, and that no more than 20% of the existing window space shall be used for signage. With regards to Condition #6, he offered to change the operating hours to 10:00 a.m. to 6:00 p.m.

TODD FARLOW, 240 North 19<sup>th</sup> Street, stated that when loan sharks start taking over yogurt shops, there will be problems and someone should look into it.

No one appeared in opposition.

There was no further discussion.

MAYOR PRO TEM REESE declared the Public Hearing closed.

(2:52 – 2:56)

**4-639**

**CONDITIONS:**

Planning and Development

1. This Special Use Permit shall expire one year from the date of final approval, unless it is exercised or an Extension of Time is granted by the City Council.
2. The use shall comply with all applicable requirements of LVMC Title 6.
3. Any proposed changes to the building design and color scheme shall be subject to review by the Planning and Development Department to ensure that it will be harmonious and compatible with the surrounding area.
4. No temporary signs (as described in LVMC Title 19.14.090) such as balloons, inflated devices, searchlights, pennants, portable billboards, portable signs, streamers, trucks parked for signage purposes, or other similar devices are permitted, except that banners announcing a “grand opening” or that a business is “coming soon” may be approved administratively for a period not to exceed thirty days.
5. Window signs shall not cover more than twenty percent (20%) of the area of all exterior windows.

CITY COUNCIL MEETING OF OCTOBER 1, 2003  
Planning and Development Department  
Item 129 – SUP-2787

**CONDITIONS – Continued:**

6. The hours of operation shall not extend beyond the hours of 8:00 a.m. to 8:00 p.m.
7. All City Code requirements and design standards of all City departments must be satisfied.

**AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT**

CITY COUNCIL MEETING OF: OCTOBER 1, 2003

**DEPARTMENT: PLANNING & DEVELOPMENT****DIRECTOR: ROBERT S. GENZER**☐**CONSENT**☒**DISCUSSION****SUBJECT:**

SPECIAL USE PERMIT - PUBLIC HEARING - SUP-2794 - BOCA PARK MARKETPLACE, LIMITED LIABILITY COMPANY - Request for a Special Use Permit FOR A PROPOSED SUPPER CLUB (GRAND MARLIN) at 8800 West Charleston Boulevard, Suite #8 (APN: 138-32-412-028), U (Undeveloped) Zone [SC (Service Commercial) General Plan Designation] under Resolution of Intent to C-1 (Limited Commercial), Ward 2 (L.B. McDonald). The Planning Commission (5-0-1 vote) and staff recommend APPROVAL

**PROTESTS RECEIVED BEFORE:**

Planning Commission Mtg.  
City Council Meeting

0
0

**APPROVALS RECEIVED BEFORE:**

Planning Commission Mtg.  
City Council Meeting

0
0

**RECOMMENDATION:**

The Planning Commission (5-0-1 vote) and staff recommend APPROVAL, subject to conditions.

**BACKUP DOCUMENTATION:**

1. Location Map
2. Conditions For This Application
3. Staff Report

**MOTION:**

**L.B. McDONALD – APPROVED subject to conditions – UNANIMOUS with MACK abstaining because Triple Five owns the Boca Park development and is a client of MK<sup>2</sup>, with which he is affiliated, and WEEKLY not voting**

**MINUTES:**

MAYOR GOODMAN declared the Public Hearing open.

An unidentified representative appeared on behalf of Boca Park Marketplace and explained that this site was occupied by the Sundance Clothing and Art store. He concurred with staff conditions.

No one appeared in opposition.

CITY COUNCIL MEETING OF OCTOBER 1, 2003  
Planning and Development Department  
Item 130 – SUP-2784

**MINUTES – Continued:**

There was no further discussion.

MAYOR GOODMAN declared the Public Hearing closed.

(2:56 – 2:58)

**4-753**

**CONDITIONS:**

Planning and Development

1. If this Special Use Permit is not exercised within one year of this approval, this Special Use Permit shall be void unless an Extension of Time is granted.
2. Conformance to all Minimum Requirements under Title 19.04.050 for a Supper Club use.
3. Approval of this Special Use Permit does not constitute approval of a liquor license.
4. The business shall conform to the provisions of Chapter 6.50 of the City of Las Vegas Municipal Code.
5. The Supper Club use shall conform to the definition as listed in Title 19.20.020.
6. All City Code requirements and design standards of all City departments must be satisfied.

**AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT**  
**CITY COUNCIL MEETING OF: OCTOBER 1, 2003****DEPARTMENT: PLANNING & DEVELOPMENT****DIRECTOR: ROBERT S. GENZER**☐**CONSENT**☒**DISCUSSION****SUBJECT:**

**ABEYANCE ITEM** - REZONING - PUBLIC HEARING - **ZON-2457 - DONNA F. BEAM REVOCABLE TRUST** - Request for a Rezoning FROM: U (Undeveloped) Zone [SC (Service Commercial) General Plan Designation] TO: C-1 (Limited Commercial) Zone on 3.88 acres adjacent to the northeast and southeast corners of Smoke Ranch Road and Buffalo Drive (APN: 138-15-402-001 and 138-22-101-001) Ward 4 (Brown). The Planning Commission (4-2 vote) and staff recommend APPROVAL

**PROTESTS RECEIVED BEFORE:**

**Planning Commission Mtg.**  
**City Council Meeting**

<b>3</b>
<b>0</b>

**APPROVALS RECEIVED BEFORE:**

**Planning Commission Mtg.**  
**City Council Meeting**

<b>0</b>
<b>0</b>

**RECOMMENDATION:**

The Planning Commission (4-2 vote) and staff recommend APPROVAL, subject to conditions.

**BACKUP DOCUMENTATION:**

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Submitted after final agenda – Letter requesting abeyance from Attorney Christopher Kaempfer

**MOTION:**

**REESE – Motion to HOLD IN ABEYANCE Item 114 [RQR-2792] to 10/15/2003, Item 131 [ZON-2457] and Item 132 [SDR-2458] to 11/5/2003 – UNANIMOUS**

**MINUTES:**

During Citizen Participation, KATHY BEST, 7548 Holloran Court, commented on Items 131 [ZON-2457] and 132 [SDR-2458], which were held in abeyance to the 11/5/2003 City Council meeting. Her concern is the 24-hour business going into that property and the fact that a traffic study has not been conducted. Safety is another concern. This 24-hour business will impact the entire neighborhood. She felt the area should remain Office/Professional zoning in order to maintain the quiet of the neighborhood. This business would be more appropriate if located further from residential development. MS. BEST also complained about construction noise starting as early as 4:00 a.m. She indicated she would try to come back on 11/5/2003 to address

CITY COUNCIL MEETING OF OCTOBER 1, 2003  
Planning and Development Department  
Item 131 – ZON-2457

**MINUTES – Continued:**

the issue and ask the Donna F. Beam Trust to donate some space for the VA services. COUNCILMAN BROWN thanked MS. BEST and indicated the Council could not take action at this time. However, he would talk to her following the meeting.

There was no further discussion.

(1:03 – 1:12/3:28 – 3:32)  
**3-8/4-1991**



**AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT**  
**CITY COUNCIL MEETING OF: OCTOBER 1, 2003****DEPARTMENT: PLANNING & DEVELOPMENT****DIRECTOR: ROBERT S. GENZER**☐**CONSENT**☒**DISCUSSION****SUBJECT:**

**ABEYANCE ITEM** - SITE DEVELOPMENT PLAN REVIEW RELATED TO ZON-2457 - PUBLIC HEARING - **SDR-2458 - DONNA F. BEAM REVOCABLE TRUST** - Request for a Site Development Plan Review FOR TWO PROPOSED COMMERCIAL BUILDINGS on 3.88 acres adjacent to the northeast and southeast corners of Smoke Ranch Road and Buffalo Drive (APN: 138-15-402-001 and 138-22-101-001) U (Undeveloped) Zone [SC (Service Commercial) General Plan Designation] [PROPOSED: C-1 (Limited Commercial) Zone], Ward 4 (Brown). The Planning Commission (4-2 vote) and staff recommend APPROVAL

**PROTESTS RECEIVED BEFORE:**

**Planning Commission Mtg.**  
**City Council Meeting**

<b>2</b>
<b>0</b>

**APPROVALS RECEIVED BEFORE:**

**Planning Commission Mtg.**  
**City Council Meeting**

<b>0</b>
<b>0</b>

**RECOMMENDATION:**

The Planning Commission (4-2 vote) and staff recommend APPROVAL, subject to conditions.

**BACKUP DOCUMENTATION:**

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Submitted after final agenda – Letter requesting abeyance from Attorney Christopher Kaempfer filed under Item 131

**MOTION:**

**REESE – Motion to HOLD IN ABEYANCE Item 114 [RQR-2792] to 10/15/2003, Item 131 [ZON-2457] and Item 132 [SDR-2458] to 11/5/2003 – UNANIMOUS**

**MINUTES:**

During Citizen Participation, KATHY BEST, 7548 Holloran Court, commented on Items 131 [ZON-2457] and 132 [SDR-2458], which were held in abeyance to the 11/5/2003 City Council meeting. Her concern is the 24-hour business going into that property and the fact that a traffic study has not been conducted. Safety is another concern. This 24-hour business will impact the entire neighborhood. She felt the area should remain Office/Professional zoning in order to maintain the quiet of the neighborhood. This business would be more appropriate if located further from residential development. MS. BEST also complained about construction noise starting as early as 4:00 a.m. She indicated she would try to come back on 11/5/2003 to address

CITY COUNCIL MEETING OF OCTOBER 1, 2003  
Planning and Development Department

**MINUTES – Continued:**

the issue and ask the Donna F. Beam Trust to donate some space for the VA services. COUNCILMAN BROWN thanked MS. BEST and indicated the Council could not take action at this time. However, he would talk to her following the meeting.

There was no further discussion.

(1:03 – 1:12/3:28 – 3:32)

**3-8/4-1991**

**AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT**  
**CITY COUNCIL MEETING OF: OCTOBER 1, 2003**

**DEPARTMENT: PLANNING & DEVELOPMENT**

**DIRECTOR: ROBERT S. GENZER**

☐

**CONSENT**

☒

**DISCUSSION**

**SUBJECT:**

**REZONING - PUBLIC HEARING - ZON-2624 - NEVADA HOMES GROUP ON BEHALF OF ALBERT D. AND EILEEN F. MASSI AND DON NOBIS** - Request for a Rezoning FROM: U (Undeveloped) Zone [L (Low Density Residential) General Plan Designation] TO: R-PD5 (Residential Planned Development - 5 Units Per Acre) on 2.63 acres adjacent to the southwest corner of Buffalo Drive and Gilmore Avenue (APN: 138-09-601-005), Ward 4 (Brown). Staff recommends DENIAL. The Planning Commission (4-1-1 vote) recommends APPROVAL

**PROTESTS RECEIVED BEFORE:**

**Planning Commission Mtg.**  
**City Council Meeting**

<b>0</b>
<b>0</b>

**APPROVALS RECEIVED BEFORE:**

**Planning Commission Mtg.**  
**City Council Meeting**

<b>0</b>
<b>0</b>

**RECOMMENDATION:**

Staff recommends DENIAL. The Planning Commission (4-1-1 vote recommends APPROVAL, subject to conditions.

**BACKUP DOCUMENTATION:**

1. Location Map
2. Conditions For This Application
3. Staff Report

**MOTION:**

**BROWN – APPROVED subject to conditions – UNANIMOUS with MONCRIEF not voting**

**MINUTES:**

MAYOR GOODMAN declared the Public Hearing open.

ATTORNEY RUSSELL ROWE, Kummer, Kaempfer, Bonner & Renshaw, 3800 Howard Hughes Parkway, appeared on behalf of the applicant and explained that this is the last of a series of parcels being developed on Buffalo Drive. This particular infill piece is located on the southwest corner of Buffalo Drive and Gilmore Avenue, and was acquired by Nevada Homes Group to bring residential development into this area. The Molasky Middle School is adjacent to the western property line. The project is an entry-level housing development with 140-foot deep lots and rear yards ranging from 50 to 72 feet deep.

CITY COUNCIL MEETING OF OCTOBER 1, 2003  
Planning and Development Department  
Item 133 – ZON-2624

**MINUTES – Continued:**

The developer has put open space in what was Ahey Road, which has been vacated from previous developments. An additional 5,000 square feet was added to the park amenity, which will include tennis and basketball courts, barbeque pits with picnic tables and benches, and meandering walkways. ATTORNEY ROWE asked that Condition #4 on Item 134 [VAR-2626] be deleted since open space was added to the park element.

TODD FARLOW, 240 North 19<sup>th</sup> Street, asked to see elevations and asked if the developer has a shared use agreement with the school. ATTORNEY ROWE replied that they do not have such an agreement with the school, but he would be happy to look into that. MR. FARLOW noted that shared agreements are terrific. It brings people together and saves taxpayers money. DEPUTY CITY ATTORNEY BRYAN SCOTT commented that he would be hesitant to make that a condition of approval since the Clark County School District has the ability to say no to such an agreement.

No one appeared in opposition.

There was no further discussion.

MAYOR GOODMAN declared the Public Hearing closed.

NOTE: See Item 134 [VAR-2626] for additional discussion.

(2:58 – 3:04)

**4-817**

**CONDITIONS:**

Planning and Development

1. A Resolution of Intent with a two-year time limit.
2. Site Development Plan Review (SDR-2625), open space Variance (VAR-2626) and Title 18 Waiver (WVR-2811) applications approved by the City Council prior to issuance of any permits, any site grading, and all development activity for the site.
3. Reconfiguration of the previous phase of the Day Dawn development immediately to the south of the subject site to increase the amount of open space in that phase, associated with the vacated portion of Ahey Road, from 10,000 square feet to 15,000 square feet.

CITY COUNCIL MEETING OF OCTOBER 1, 2003  
Planning and Development Department  
Item 133 – ZON-2624

**CONDITIONS – Continued:**

Public Works

4. The Special Improvement District section of the Department of Public Works must be contacted and appropriate written agreements (if necessary) must be executed by the property owner(s) of record prior to the issuance of any permits or the recordation of any Map dividing this site. The written agreements (if applicable) will allow the recalculation and/or the redistribution of all assessments of record on this site.
5. Construct half-street improvements on Buffalo Drive and Gilmore Avenue adjacent to this site concurrent with development of this site. All existing paving damaged or removed by this development shall be restored at its original location and to its original width concurrent with development of this site. Alternatively, the applicant may participate in the public improvement project for the Buffalo Drive improvements.
6. If not already constructed, coordinate with the Collection Systems Planning section of the Department of Public Works to extend public sanitary sewer in Gilmore Avenue to the west edge of this site at a location and depth acceptable to the City Engineer. Provide public sewer easements for all public sewers not located within existing public street right-of-way prior to the issuance of any permits as required by the Department of Public Works.
7. A Traffic Impact Analysis must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits, submittal of any construction drawings or the recordation of a Map subdividing this site. Comply with the recommendations of the approved Traffic Impact Analysis prior to occupancy of the site. The City shall determine area traffic mitigation contribution requirements based upon information provided in the approved Traffic Impact Analysis; such monies shall be contributed prior to the issuance of any permits or the recordation of a Map subdividing this site. The Traffic Impact Analysis shall also include a section addressing Standard Drawings #234.1 #234.2 and #234.3 to determine additional right-of-way requirements for bus turnouts adjacent to this site, if any; dedicate all areas recommended by the approved Traffic Impact Analysis. All additional rights-of-way required by Standard Drawing #201.1 for exclusive right turn lanes and dual left turn lanes shall be dedicated prior to or concurrent with the commencement of on-site development activities unless specifically noted as not required in the approved Traffic Impact Analysis. If additional rights-of-way are not required and Traffic Control devices are or may be proposed at this site outside of the public right-of-way, all necessary easements for the location and/or access of such devices shall be granted prior to the issuance of permits for this site.

CITY COUNCIL MEETING OF OCTOBER 1, 2003  
Planning and Development Department  
Item 133 – ZON-2624

**CONDITIONS – Continued:**

Phased compliance will be allowed if recommended by the approved Traffic Impact Analysis. No recommendation of the approved Traffic Impact Analysis, nor compliance therewith, shall be deemed to modify or eliminate any condition of approval imposed by the Planning Commission or the City Council on the development of this site.

Alternatively, in lieu of a Traffic Impact Analysis, the applicant may participate in a reasonable alternative mutually acceptable to the applicant and the Department of Public Works.

8. A Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits, submittal of any construction drawings or the recordation of a Map subdividing this site, whichever may occur first. Provide and improve all drainageways recommended in the approved drainage plan/study. The developer of this site shall be responsible to construct such neighborhood or local drainage facility improvements as are recommended by the City of Las Vegas Neighborhood Drainage Studies and approved Drainage Plan/Study concurrent with development of this site. In lieu of constructing improvements, in whole or in part, the developer may agree to contribute monies for the construction of neighborhood or local drainage improvements, the amount of such monies shall be determined by the approved Drainage Plan/Study and shall be contributed prior to the issuance of any building or grading permits, or the recordation of a Map subdividing this site, whichever may occur first, if allowed by the City Engineer.

**AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT**

**CITY COUNCIL MEETING OF: OCTOBER 1, 2003**

**DEPARTMENT: PLANNING & DEVELOPMENT**

**DIRECTOR: ROBERT S. GENZER**

☐

**CONSENT**

☒

**DISCUSSION**

**SUBJECT:**

VARIANCE RELATED TO ZON-2624 - PUBLIC HEARING - **VAR-2626 - NEVADA HOMES GROUP ON BEHALF OF ALBERT D. AND EILEEN F. MASSI AND DON NOBIS** - Request for a Variance TO ALLOW NO OPEN SPACE WHERE 0.23 ACRES OF OPEN SPACE ARE REQUIRED FOR A PROPOSED 14-LOT SINGLE FAMILY DEVELOPMENT on 2.63 acres adjacent to the southwest corner of Buffalo Drive and Gilmore Avenue (APN: 138-09-601-005) U (Undeveloped) Zone [L (Low Density Residential) General Plan Designation] [PROPOSED R-PD5 (Residential Planned Development - 5 Units Per Acre)], Ward 4 (Brown). Staff recommends DENIAL. The Planning Commission (4-1-1 vote) recommends APPROVAL

**PROTESTS RECEIVED BEFORE:**

**Planning Commission Mtg.**

**0**

**City Council Meeting**

**0**

**APPROVALS RECEIVED BEFORE:**

**Planning Commission Mtg.**

**0**

**City Council Meeting**

**0**

**RECOMMENDATION:**

Staff recommends DENIAL. The Planning Commission (4-1-1 vote) recommends APPROVAL, subject to conditions.

**BACKUP DOCUMENTATION:**

1. Location Map
2. Conditions For This Application
3. Staff Report

**MOTION:**

**BROWN – APPROVED subject to conditions and deleting Condition 4 – UNANIMOUS with MONCRIEF not voting**

**MINUTES:**

MAYOR GOODMAN declared the Public Hearing open.

ATTORNEY RUSSELL ROWE, Kummer, Kaempfer, Bonner & Renshaw, 3800 Howard Hughes Parkway, appeared on behalf of the applicant.

COUNCILMAN BROWN pointed out that Nevada Homes Group would be expanding the neighborhood park by adding an additional 5,000 square feet of open space. Additionally, along this corridor, and the Alexander corridor Nevada Homes has been asked to contribute in

CITY COUNCIL MEETING OF OCTOBER 1, 2003  
Planning and Development Department  
Item 134 – VAR-2626

**MINUTES – Continued:**

excess of \$200,000 to the parks in the area. In addition, they have worked with the Public Works Department on special improvement districts. Nevada Homes has paid its fair share toward the public facilities in this area. Therefore, he supported the deletion of Condition 4.

No one appeared in opposition.

There was no further discussion.

MAYOR GOODMAN declared the Public Hearing closed.

NOTE: See Item 133 [ZON-2624] for additional discussion related to Item 134 [VAR-2626] and Item 135 [SDR-2625].

(3:04 – 3:06)  
**4-1044**

**CONDITIONS:**

1. Approval of and conformance to the Conditions of Approval for Rezoning (ZON-2624), Site Development Plan Review [SDR-2625] and Title 18 Waiver (WVR-2811).
2. This Variance shall expire two years from the date of final approval, unless it is exercised or an Extension of Time is granted by the City Council.
3. Reconfiguration of the previous phase of the Day Dawn development immediately to the south of the subject site to increase the amount of open space in that phase, associated with the vacated portion of Ahey Road, from 10,000 square feet to 15,000 square feet.
4. In Lieu of compliance with the open space requirements of Municipal Code 19.06.040, the developer will be allowed to make a contribution to the City of Las Vegas Parks CIP Fund in the amount of \$40,075.00 to be utilized by the City Council for improvements to existing public parks nearby. This contribution must be made to Land Development prior to approval of a Final Map; otherwise, the developer is still required to comply with the Open Space requirement in accordance with Title 19 of the Las Vegas Municipal Code.



**AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT**

CITY COUNCIL MEETING OF: OCTOBER 1, 2003

**DEPARTMENT: PLANNING & DEVELOPMENT****DIRECTOR: ROBERT S. GENZER**☐**CONSENT**☒**DISCUSSION****SUBJECT:**

SITE DEVELOPMENT PLAN REVIEW RELATED TO ZON-2624 AND VAR-2626 - PUBLIC HEARING - **SDR-2625 - NEVADA HOMES GROUP ON BEHALF OF ALBERT D. AND EILEEN F. MASSI AND DON NOBIS** - Request for a Site Development Plan Review FOR A PROPOSED 14-LOT SINGLE FAMILY DEVELOPMENT on 2.63 acres adjacent to the southwest corner of Buffalo Drive and Gilmore Avenue (APN: 138-09-601-005) U (Undeveloped) Zone [L (Low Density Residential) General Plan Designation] [PROPOSED R-PD5 (Residential Planned Development - 5 Units Per Acre)], Ward 4 (Brown). Staff recommends DENIAL. The Planning Commission (4-1-1 vote) recommends APPROVAL

**PROTESTS RECEIVED BEFORE:****Planning Commission Mtg.****0****City Council Meeting****0****APPROVALS RECEIVED BEFORE:****Planning Commission Mtg.****0****City Council Meeting****0****RECOMMENDATION:**

Staff recommends DENIAL. The Planning Commission (4-1-1 vote) recommends APPROVAL, subject to conditions.

**BACKUP DOCUMENTATION:**

1. Location Map
2. Conditions For This Application
3. Staff Report

**MOTION:****BROWN – APPROVED subject to conditions – UNANIMOUS with MONCRIEF****MINUTES:**

MAYOR GOODMAN declared the Public Hearing open.

ATTORNEY RUSSELL ROWE, Kummer, Kaempfer, Bonner & Renshaw, 3800 Howard Hughes Parkway, appeared on behalf of the applicant.

No one appeared in opposition.

There was no discussion.

CITY COUNCIL MEETING OF OCTOBER 1, 2003  
Planning and Development Department  
Item 135 – SDR-2625

**MINUTES – Continued:**

MAYOR GOODMAN declared the Public Hearing closed.

NOTE: See Item 133 [ZON-2624] and Item 134 [VAR-2626] for related discussion.

(2:58 – 3:04)

**4-817**

**CONDITIONS:**

Planning and Development

1. A Rezoning [ZON-2624] to an R-PD5 (Residential Planned Development - 5 Units per Acre) Zoning District, a Variance (VAR-2626) and a Waiver of certain Title 18 standards (WVR-2811) approved by the City Council.
2. This Site Development Plan Review shall expire two years from date of final approval unless it is exercised or an Extension of Time is granted by the City Council.
3. All development shall be in conformance with the site plan and building elevations, except as amended by conditions herein.
4. Reconfiguration of the previous phase of the Day Dawn development immediately to the south of the subject site to increase the amount of open space in that phase, associated with the vacated portion of Ahey Road, from 10,000 square feet to 15,000 square feet.
5. The standards for this development shall include the following: minimum distance between buildings of 10 feet and building height shall not exceed two stories or 35 feet, whichever is less.
6. The setbacks for this development shall be a minimum of 20 feet to the front of the house and garage, 5 feet on the side, 10 feet on the corner side, and 15 feet in the rear.
7. The site plan shall be revised and approved by Planning and Development Department staff, prior to the time application is made for a tentative map, to reflect adequate perimeter landscaping.
8. The landscape plan shall be revised and approved by Planning and Development Department staff, prior to the time application is made for a building permit, to reflect minimum 24-inch box trees planted a maximum of 30 feet on-center and a minimum of four five-gallon shrubs for each tree within provided planters.

CITY COUNCIL MEETING OF OCTOBER 1, 2003  
Planning and Development Department  
Item 135 – SDR-2625

**CONDITIONS – Continued:**

9. A landscaping plan must be submitted prior to or at the same time application is made for a building permit.
10. Air conditioning units shall not be mounted on rooftops.
11. All utility boxes exceeding 27 cubic feet in size shall meet the standards of Title 19.12.050.
12. Any property line wall shall be a decorative block wall, with at least 20 percent contrasting materials. Wall heights shall be measured from the side of the fence with the least vertical exposure above the finished grade, unless otherwise stipulated.
13. A fully operational fire protection system, including fire apparatus roads, fire hydrants and water supply, shall be installed and shall be functioning prior to construction of any combustible structures.
14. All City Code requirements and design standards of all City departments must be satisfied.

Public Works

15. Site development to comply with all applicable conditions of approval for Zoning Reclassification ZON-2624 and all other subsequent site-related actions.
16. The final layout of the subdivision shall be determined at the time of approval of the Tentative Map.
17. The approval of all Public Works related improvements shown on this Site Development Plan Review is in concept only. Specific design and construction details relating to size, type and/or alignment of public improvements, including but not limited to street, sewer and drainage improvements, shall be resolved prior to submittal of a Tentative Map or construction drawings, whichever may occur first. No deviations from adopted City Standards shall be allowed unless specific written approval for such is received from the City Engineer prior to the submittal of a Tentative Map or construction drawings, whichever may occur first.

**AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT**  
**CITY COUNCIL MEETING OF: OCTOBER 1, 2003**

**DEPARTMENT: PLANNING & DEVELOPMENT****DIRECTOR: ROBERT S. GENZER**☐**CONSENT**☒**DISCUSSION****SUBJECT:**

WAIVER OF TITLE 18 REQUIREMENTS - PUBLIC HEARING - **WVR-2811** - **NEVADA HOMES GROUP ON BEHALF OF ALBERT D. & EILEEN F. MASSI AND DON NOBIS** - Request for a Waiver of Title 18 requirements FOR A 185-FOOT SEPARATION BETWEEN INTERSECTIONS, WHERE A MINIMUM OF 220 FEET IS REQUIRED when providing external access from a subdivision to an existing street having a right-of-way width of 60 feet or more, on property adjacent to the southwest corner of Buffalo Drive and Gilmore Avenue (APN: 138-09-601-005), U (Undeveloped) Zone [L (Low Density Residential) General Plan Designation] [PROPOSED: R-PD5 (Residential Planned Development - 5 Units Per Acre)], Ward 4 (Brown). Staff recommends DENIAL. The Planning Commission (4-1-1 vote) recommends APPROVAL

**PROTESTS RECEIVED BEFORE:**

**Planning Commission Mtg.**  
**City Council Meeting**

<b>0</b>
<b>0</b>

**APPROVALS RECEIVED BEFORE:**

**Planning Commission Mtg.**  
**City Council Meeting**

<b>0</b>
<b>0</b>

**RECOMMENDATION:**

Staff recommends DENIAL. The Planning Commission (4-1-1 vote) recommends APPROVAL, subject to conditions.

**BACKUP DOCUMENTATION:**

1. Location Map
2. Conditions For This Application
3. Staff Report

**MOTION:**

**BROWN – APPROVED subject to conditions – UNANIMOUS**

**MINUTES:**

MAYOR GOODMAN declared the Public Hearing open.

COUNCILMAN BROWN verified with DAVID GUERRA, Public Works Department, that there was no problem with any of the left turns. It is merely a requirement because the code requires this distance separation. COUNCILMAN BROWN commented that Molasky Middle School has a joint use agreement with the City, but he does not believe that the City would get involved in a neighborhood. It is public space, and if the School District does not lock the playground it is open to all citizens.

No one appeared in opposition.

CITY COUNCIL MEETING OF OCTOBER 1, 2003  
Planning and Development Department  
Item 136 – WVR-2811

**MINUTES – Continued:**

There was no further discussion.

MAYOR GOODMAN declared the Public Hearing closed.

(3:06 – 3:07)

**4-1090**

**CONDITIONS:**

Planning and Development

1. Approval of and conformance to the Conditions of Approval for Rezoning (ZON-2624), Site Development Plan Review [SDR-2625] and open space Variance (VAR-2626).
2. All City Code Requirements and all City Departments design standards shall be met.

**AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT**

**CITY COUNCIL MEETING OF: OCTOBER 1, 2003**

**DEPARTMENT: PLANNING & DEVELOPMENT**

**DIRECTOR: ROBERT S. GENZER**

☐

**CONSENT**

☒

**DISCUSSION**

**SUBJECT:**

**TABLED ITEM** - GENERAL PLAN AMENDMENT - PUBLIC HEARING - **GPA-2497 - CITY OF LAS VEGAS** - Request to amend the City of Las Vegas Downtown Development Plan Map (Map 9) of the Las Vegas Redevelopment Plan to consolidate all categories and to make certain changes, Wards 1 (Moncrief), 3 (Reese) and 5 (Weekly). The Planning Commission (5-0 vote) and staff recommend APPROVAL

**PROTESTS RECEIVED BEFORE:**

**Planning Commission Mtg.**  
**City Council Meeting**

<b>0</b>
<b>0</b>

**APPROVALS RECEIVED BEFORE:**

**Planning Commission Mtg.**  
**City Council Meeting**

<b>0</b>
<b>0</b>

**RECOMMENDATION:**

The Planning Commission (5-0 vote) and staff recommend APPROVAL.

**BACKUP DOCUMENTATION:**

1. Location Map
2. Conditions For This Application - Not Applicable
3. Staff Report

**MOTION:**

**REESE – APPROVED – UNANIMOUS**

NOTE: COUNCILMAN MACK disclosed his affiliations with SuperPawn, which is owned by his brother, STEVEN MACK, and Lady Luck Casino, with which his brother-in-law, ANDREW DONNER, is under contract. However, he would be voting, as neither business would be affected by this application. Additionally, he has not discussed this item with either his brother or brother-in-law.

NOTE: MAYOR GOODMAN disclosed that he had some contingent monies due him from the sale of property at Bonneville and Casino Center, but it would not preclude him from voting.

**MINUTES:**

MAYOR GOODMAN declared the Public Hearing open.

MARGO WHEELER, Deputy Director, Planning and Development Department, explained that is requesting the Council make changes to the General Plan categories for this area. She pointed out that the correct map is version 9 shown during the morning Council session.

CITY COUNCIL MEETING OF OCTOBER 1, 2003  
Planning and Development Department  
Item 137 – GPA-2497

**MINUTES – Continued:**

No one appeared in opposition.

There was no further discussion.

MAYOR GOODMAN declared the Public Hearing closed.

(3:07 – 3:08)

**4-1136**

**AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT**

**CITY COUNCIL MEETING OF: OCTOBER 1, 2003**

**DEPARTMENT: PLANNING & DEVELOPMENT**

**DIRECTOR: ROBERT S. GENZER**

☐

CONSENT

☒

DISCUSSION

**SUBJECT:**

GENERAL PLAN AMENDMENT - PUBLIC HEARING - **GPA-2516 - CITY OF LAS VEGAS** - Request to amend portions of the Centennial Hills Sector Plan Map FROM: GC (General Commercial), SC (Service Commercial) and DR (Desert Rural) TO: GC (General Commercial), O (Office), SC (Service Commercial), PF (Public Facility), and DR (Desert Rural) on property located on, or in close proximity to, both sides of Rancho Drive from Cheyenne Avenue to Gowan Road (APN: 138-12-301-002, 003, 004, 013, 014, 016, 138-12-315-006, 008, 009, 010, 138-12-710-002, 003, 041, 042, 043, 047, 048, 049, 050, 052, 053, 059, 138-12-810-011, 019, 039, and 040), Ward 6 (Mack). The Planning Commission (6-0 vote) and staff recommend APPROVAL

**PROTESTS RECEIVED BEFORE:**

Planning Commission Mtg.  
City Council Meeting

<b>4</b>
<b>0</b>

**APPROVALS RECEIVED BEFORE:**

Planning Commission Mtg.  
City Council Meeting

<b>1</b>
<b>0</b>

**RECOMMENDATION:**

The Planning Commission (6-0 vote) and staff recommend APPROVAL.

**BACKUP DOCUMENTATION:**

1. Location Map
2. Conditions For This Application – Not Applicable
3. Staff Report

**MOTION:**

**MACK – APPROVED with an added condition classifying APN 138-12-710-052, commonly known as 5232 Ricky Road, as Desert Rural – UNANIMOUS**

**MINUTES:**

MAYOR GOODMAN declared the Public Hearing open.

ROBERT GENZER, Director, Planning and Development Department, explained that this is Phase II of the Rancho Corridor Study. Staff will look at all of the properties along the Rancho Corridor which carry the GC and C-2 zoning designations and bring them to more appropriate zoning to transition from residential to commercial. He indicated the item was in order.



CITY COUNCIL MEETING OF OCTOBER 1, 2003  
Planning and Development Department  
Item 138 – GPA-2516

**MINUTES – Continued:**

MIKE MALONE, 3660 Thom Boulevard, member of Northwest Area Residents Association (NARA) stated that there was quite a bit of opposition by the neighborhood to the rezoning of these parcels, especially those being rezoned to O (Office). However, after the residents talked with staff and following the Planning Commission meeting, the neighborhood now supports this application. He indicated that LARRY LaPINTA, bar owner, also supported this application.

COUNCILMAN MACK thanked staff for their efforts in the Rancho Corridor rezoning. This study will eliminate the zoning inconsistencies along the Rancho Corridor. He clarified that any applications that come forward will involve community input and consideration by the Planning Commission and City Council. He requested that APN: 138-12-710-052, known as 5232 Ricky Road be designated as Desert Rural. The applicant is changing the Service Commercial to Desert Rural because of residential development going into that area.

No one appeared in opposition.

There was no further discussion.

MAYOR GOODMAN declared the Public Hearing closed.

NOTE: See Item 139 [ZON-2526] for related discussion.

(3:08 – 3:14)

**4-1195**

**AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT**  
**CITY COUNCIL MEETING OF: OCTOBER 1, 2003**

**DEPARTMENT: PLANNING & DEVELOPMENT**

**DIRECTOR: ROBERT S. GENZER**

☐

**CONSENT**

☒

**DISCUSSION**

**SUBJECT:**

REZONING RELATED TO GPA-2516 - PUBLIC HEARING - **ZON-2526 - CITY OF LAS VEGAS** - Request for a Rezoning FROM: C-2 (General Commercial) and R-E (Residence Estates) TO: C-2 (General Commercial), C-1 (Limited Commercial), N-S (Neighborhood Services), O (Office), C-V (Civic), and R-E (Residence Estates) on property located on, or in close proximity to, both sides of Rancho Drive from Cheyenne Avenue to Gowan Road, (APN: 138-12-710-001, 002, 003, 004, 041, 042, 043, 044, 047, 048, 049, 050, 053, 059, 138-12-810-010, 011, 016, 039, and 040) Ward 6 (Mack). The Planning Commission (6-0 vote) and staff recommend APPROVAL

**PROTESTS RECEIVED BEFORE:**

**Planning Commission Mtg.**  
**City Council Meeting**

<b>4</b>
<b>0</b>

**APPROVALS RECEIVED BEFORE:**

**Planning Commission Mtg.**  
**City Council Meeting**

<b>1</b>
<b>0</b>

**RECOMMENDATION:**

The Planning Commission (6-0 vote) and staff recommend APPROVAL, subject to conditions.

**BACKUP DOCUMENTATION:**

1. Location Map
2. Condition For This Application
3. Staff Report

**MOTION:**

**MACK – APPROVED subject to condition with an added condition classifying APN 138-12-710-052, commonly known as 5232 Ricky Road, as Residence Estates – UNANIMOUS**

**MINUTES:**

MAYOR GOODMAN declared the Public Hearing open.

COUNCILMAN MACK classified APN: 138-12-710-052, known as 5232 Ricky Road, as Residence Estates (R-E).

No one appeared in opposition.

There was no further discussion.

MAYOR GOODMAN declared the Public Hearing closed.

NOTE: See Item 138 [GPA-2516] for related discussion.

(3:14 – 3:15)

**4-1409**

CITY COUNCIL MEETING OF OCTOBER 1, 2003  
Planning and Development Department  
Item 139 – ZON-2526

**CONDITION:**

1. All Site Development Plan Review applications shall be heard as a public hearing item by the Planning Commission and City Council.

**AGENDA SUMMARY PAGE**  
**CITY COUNCIL MEETING OF: OCTOBER 1, 2003**

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**DEPARTMENT: CITY CLERK**

**DIRECTOR: BARBARA JO (RONI) RONEMUS** ☐ **CONSENT** ☐ **DISCUSSION**

**SUBJECT:**

SET DATE ON ANY APPEALS FILED OR REQUIRED PUBLIC HEARINGS FROM THE CITY PLANNING COMMISSION MEETINGS, CENTENNIAL HILLS ARCHITECTURAL REVIEW COMMITTEE AND DANGEROUS BUILDING OR NUISANCE/LITTER ABATEMENTS

**SUP-2664, SUP-2759, SUP-2760, SUP-2767, SUP-2801, SUP-2802, SUP-2833, SUP-2844, SUP-2845, SUP-2848, VAC-2836, VAC-8247, VAR-2839 and VAR-2864 – 10/15/2003 Agenda**

**AGENDA SUMMARY PAGE**  
**CITY COUNCIL MEETING OF: OCTOBER 1, 2003**

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**DEPARTMENT: CITY CLERK**

**DIRECTOR:** BARBARA JO (RONI) RONEMUS ☐ **CONSENT** ☐ **DISCUSSION**

**SUBJECT:**

**ADDENDUM:**

NONE.

## **AGENDA SUMMARY PAGE** **CITY COUNCIL MEETING OF: OCTOBER 1, 2003**

### **CITIZENS PARTICIPATION:**

Items raised under this portion of the City Council Agenda cannot be deliberated or acted upon until the notice provisions of the Open Meeting Law have been met. If you wish to speak on a matter not listed on the agenda, please step up to the podium and clearly state your name and address. In consideration of others, avoid repetition, and limit your comments to no more than three (3) minutes. To ensure all persons equal opportunity to speak, each subject matter will be limited to ten (10) minutes.

### **MINUTES:**

MAYOR GOODMAN announced that COUNCILWOMAN MONCRIEF would be excused to attend a meeting with the Las Vegas Convention and Visitors Authority.

(3:15 – 3:16)

**4-1464**

TODD FARLOW, 240 North 19<sup>th</sup> Street, stated that a shared use agreement with the Clark County School District would allow schoolchildren to enter the school grounds via a gate. Referring to the sewer fee increase, he asked that the City make sure that North Las Vegas is not subsidized. On a different issue, he stated that Nevada Department of Transportation (NDOT) is conducting a study on redoing I-15 from the Spaghetti Bowl to Railroad Pass, plus some work on Boulder Highway. He asked that the City ensure that NDOT does not take any land south of Stewart Avenue. Residents of this area feel threatened, and he hoped the Council would protect them.

(3:16 – 3:18)

**4-1439**

BROTHER DAVID BUER, 1420 West Bartlett, brought to the City Council's attention the need for adequate winter shelter for the homeless. Currently, there are 174 beds available in the Valley. He explained that from 2000 to 2001 there were over 500 beds available. In the winter of 2001-2002, Catholic Charities' beds were lost due to reconstruction. However, the MASH tent was still available and the Salvation Army opened up 45 extra beds in their chapel. In 2002-2003 the tent was gone, but make-up beds were provided with funding created by the County. He advised that the free beds would no longer be available at Catholic Charities due to a policy change. The only beds available will be those at the Salvation Army, DRC, in their chapel and the Rescue Mission. He has been talking with Catholic Charities, County officials and the United Way to devise a solution for the coming winter. As of yet, there is no plan in place. He urged the Council to look at this particular situation. Using a graph, BROTHER BUER described the typical winter temperature averages for Las Vegas.

# *City of Las Vegas*

## CITY COUNCIL MEETING OF OCTOBER 1, 2003 Planning and Development Department Citizen Participation

### **MINUTES – Continued:**

MAYOR GOODMAN asked the definition of a free bed. BROTHER BUER replied that a free bed is for those individuals who choose to come in out of the cold and obey the rules for the night. COUNCILMAN REESE asked that BROTHER BUER'S dialog with the County, not only include funding for bed space, but also for a shelter location in the County.

(3:18 – 3:22)

**4-1547**

UNIDENTIFIED MALE, responding to COUNCILMAN REESE'S comment, stated that a County shelter is not practical. He questioned the ability of the homeless to get from Ward 5, which the City lobbied for as a homeless corridor, to any part of the County. Possibly the County could open a drop-in center that operates during the day to give people food, clothing, access to telephones and the Internet and the ability to take a shower. America is a litigious society; yet the City of Las Vegas, through its elected officials, is deliberately violating the Constitutional rights of the homeless. This will force national and local homeless advocacy groups to file suit on their behalf. Elected officials take an oath to uphold the Constitution and then violate the 4<sup>th</sup> and 14<sup>th</sup> Amendments realizing that it takes money to fight the City in court. It is unjust and inhumane to treat fellow citizens in this manner. Some members of the public will rally to the defense of the City Council, the City Attorney's Office, and the Mayor's treatment of the homeless. But they are confusing charisma, poll numbers, and popularity with Constitutional duties to fellow citizens. Many people believe that the homeless are undeserving and undesirable. The truth is that they are as deserving and desirable as everyone. Approximately 30% of the homeless are Veterans who served in wars and deserve every assistance; approximately 40% are mentally ill. Nevada should be ashamed of the way the homeless have been neglected. Since 9/11 more families are on the street, and the City should help them in order to promote a safer and healthier community.

(3:22 – 3:25)

**4-1720**

STEVE HAMPTON, 5081 Pioneer Avenue, spoke about the violation of his civil rights by officers of the Las Vegas Metropolitan Police Department on two occasions. He indicated that on July 14, 2003, on the Strip near the intersection of Tropicana, he was protesting against the occupation of Iraq. As a result, he was arrested and cited for disorderly conduct. This was a bogus political charge, evidenced by the fact it was dismissed on August 14. He was tortured by handcuffs that were deliberately put on too tight, and his walking stick was stolen. He was insulted and belittled. He demanded that all of the officers involved not only be fired immediately, but also charged with armed robbery and prosecuted to the fullest extent of the law.

# *City of Las Vegas*

## CITY COUNCIL MEETING OF OCTOBER 1, 2003 Planning and Development Department Citizen Participation

### **MINUTES – Continued:**

The second incident occurred on September 11<sup>th</sup> by the 9/11 Memorial at the New York New York Hotel/Casino. He was assaulted by a mob, which forcibly took his flag, protest sign and hat. This took place in front of several Metro officers, who did nothing to protect his rights or arrest the criminals who assaulted him. Reporters and cameramen were present and videotaped the incident. He demanded that these officers be fired. These two incidents prove that the police are not neutral upholders of law and order, and they systematically discriminate.

(3:25 – 3:28)

**4-1849**

KATHY BEST, 7548 Holloran Court, commented on Items 131 [ZON-2457] and 132 [SDR-2458], which were held in abeyance to the 11/5/2003 City Council meeting. Her concern is the 24-hour business going into that property and the fact that a traffic study has not been conducted. Safety is another concern. This 24-hour business will impact the entire neighborhood. She felt the area should remain Office/Professional zoning in order to maintain the quiet of the neighborhood. This business would be more appropriate if located further from residential development. MS. BEST also complained about construction noise starting as early as 4:00 a.m. She indicated she would try to come back on 11/5/2003 to address the issue and ask the Donna F. Beam Trust to donate some space for the VA services. COUNCILMAN BROWN thanked MS. BEST and indicated the Council could not take action at this time. However, he would talk to her following the meeting.

(3:28 – 3:32)

**4-1991**

JOE MAVIGLIA, 1695 Fairhaven Street, stated that he exposed corruption and misuse of funds, both in the City and County. He considers himself an advocate, especially when he feels an issue is important enough for the honesty and integrity of this City and the people that run the City. The ultimate responsibility rests on the Mayor for the conduct of the City and its employees. It is unfortunate that the Mayor does not have enough time to conduct business and be aware of all that is going on in the City. He is certain that when the Mayor becomes aware of any wrongdoing he will make a diligent effort to correct any improprieties. On several occasions he brought corruption to the attention of the proper authorities, and action was taken. But the tendency is to close the barn door after the horse is gone and then lightly slap the wrist of the violators. Two years prior to the corruption in the County, he made a presentation to the County Commission where he stated that corruption was alive and well in the County. If there is any corruption in City Hall and the Mayor becomes aware of it, appropriate action needs to be taken. It is important to know where the money goes, directly or indirectly. If a citizen violates the law they are held accountable. Why should someone who has political pull be any different?

(3:32 – 3:37)

**4-2153**



# *City of Las Vegas*

CITY COUNCIL MEETING OF OCTOBER 1, 2003  
Planning and Development Department  
Citizen Participation

## **MINUTES – Continued:**

STEVEN “CAPTAIN TRUTH” DEMPSEY stated that the Mayor is no longer welcome on the Perfectly Frank talk radio show on KLAV 1230AM. He mentioned that an article from the American Mafia.com website dealt with political contributions and encouraged public servants to live up to their oaths of office and not violate the law. He questioned the lack of a show cause hearing regarding the Crazy Horse Too. He challenged any attorney representing someone who has been injured to sue the City Council for failure to act in his or her individual capacity. A hazardous condition is being created. He noticed that CHRIS CHRISTOFF no longer attends City Council meetings and asked if he was safe and well.

(3:37 – 3:42)

**4-2379**

**MEETING ADJOURNED AT 3:42 P.M.**